

DOCUMENT 1.19

or an acceptable List A, List B, or List C receipt as described in the Employment Eligibility Verification (Form I-9) Instructions. Employers may not require extra or additional documentation beyond what is required for Employment Eligibility Verification (Form I-9) completion. Further, employers participating in E-Verify who receive an E-Verify case result of "Tentative Nonconfirmation" (TNC) must promptly inform employees of the TNC and give such employees an opportunity to contest the TNC. A TNC case result means that the information entered into E-Verify from Employment Eligibility Verification (Form I-9) differs from Federal or state government records.

Employers may not terminate, suspend, delay training, withhold pay, lower pay, or take any adverse action against an employee based on the employee's decision to contest a TNC or because the case is still pending with E-Verify. A Final Nonconfirmation (FNC) case result is received when E-Verify cannot verify an employee's employment eligibility. An employer may terminate employment based on a case result of FNC. Work-authorized employees who receive an FNC may call USCIS for assistance at 888-897-7781 (TTY 877-875-6028). For more information about E-Verify-related discrimination or to report an employer for discrimination in the E-Verify process based on citizenship, immigration status, or national origin, contact IER's Worker Hotline at 800-255-7688 (TTY 800-237-2515). Additional information about proper nondiscriminatory Employment Eligibility Verification (Form I-9) and E-Verify procedures is available on the IER Web site at <https://www.justice.gov/ier> and the USCIS Web site at <http://www.dhs.gov/E-verify>.

Note Regarding Federal, State, and Local Government Agencies (Such as Departments of Motor Vehicles)

While Federal Government agencies must follow the guidelines laid out by the Federal Government, state and local government agencies establish their own rules and guidelines when granting certain benefits. Each state may have different laws, requirements, and determinations about what documents you need to provide to prove eligibility for certain benefits. Whether you are applying for a Federal, state, or local government benefit, you may need to provide the government agency with documents that show you are a TPS beneficiary and/or show you are authorized to work based on TPS. Examples of such documents are:

- (1) Your current EAD;
- (2) A copy of your receipt notice (Form I-797C) for your application to renew your current EAD providing an automatic extension of your currently expired or expiring EAD;
- (3) A copy of your Application for Temporary Protected Status Notice of Action (Form I-797) for this re-registration; and
- (4) A copy of your past or current Application for Temporary Protected Status Notice of Action (Form I-797), if you received one from USCIS.

Check with the government agency regarding which document(s) the agency will accept. Some benefit-granting agencies use the USCIS Systematic Alien Verification for Entitlements (SAVE) program to confirm the current immigration status of applicants for public benefits. In most cases, SAVE provides an automated electronic response to benefit-granting agencies within seconds, but, occasionally, verification can be delayed. You can check the status of your SAVE verification by using CaseCheck at the following link: <https://save.uscis.gov/casecheck/>, then by clicking the "Check Your Case" button. CaseCheck is a free service that lets you follow the progress of your SAVE verification using your date of birth and one immigration identifier number. If an agency has denied your application based solely or in part on a SAVE response, the agency must offer you the opportunity to appeal the decision in accordance with the agency's procedures. If the agency has received and acted upon or will act upon a SAVE verification and you do not believe the response is correct, you may make an InfoPass appointment for an in-person interview at a local USCIS office. Detailed information on how to make corrections, make an appointment, or submit a written request to correct records under the Freedom of Information Act can be found on the SAVE Web site at <http://www.uscis.gov/save>.

[FR Doc. 2017-22074 Filed 10-10-17; 8:45 am]

BILLING CODE 9111-97-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615-0116]

Agency Information Collection Activities: Extension, Without Change, of a Currently Approved Collection; Request for Fee Waiver; Request for Fee Exemption

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration (USCIS) invites the general public and other Federal agencies to comment upon this proposed extension of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.*, the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until December 11, 2017.

ADDRESSES: All submissions received must include the OMB Control Number 1615-0116 in the body of the letter, the agency name and Docket ID USCIS-2010-0008. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Online.* Submit comments via the Federal eRulemaking Portal Web site at <http://www.regulations.gov> under e-Docket ID number USCIS-2010-0008;

(2) *Mail.* Submit written comments to DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW., Washington, DC 20529-2140.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20 Massachusetts Avenue NW., Washington, DC 20529-2140, telephone number 202-272-8377 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking

The Cost of the Border Crisis
Testimony before the House Budget Committee
May 8, 2024

Chairman Arrington, Members of the Committee, thank you for inviting me to speak today on the impact the border crisis is having on our nation.

My name is Julie Kirchner, and I am the Executive Director of FAIR, the Federation for American Immigration Reform. With 45 years of experience and expertise, FAIR is a national nonprofit that seeks to educate Americans on the impact of mass immigration and advocate for policies that serve our national interests, not special interests.

For over three years now, Americans have been watching an unprecedented crisis unfold at our borders. In the past fiscal year alone, we have seen a record number of illegal migrants encountered at our borders, a record number of suspected terrorists encountered, a record number of asylum claims – not to mention a record caseload in the immigration courts – and a record number of fentanyl seizures and overdoses. So many illegal aliens are arriving at our borders that our immigration system is beginning to collapse under its own weight.

This chaos is also imposing record costs on Americans. Last year, FAIR published a report entitled the *Fiscal Burden of Illegal Immigration on United States Taxpayers*. The study strives to illustrate the myriad of ways Americans pay for illegal immigration. Our estimate, which is a conservative one, is that Americans now pay \$150.7 billion dollars annually due to illegal immigration. This figure represents a net cost. In terms of gross expenditures due to illegal immigration, we estimate that Americans pay \$182 billion. Approximately \$31 billion is received from illegal aliens in taxes, only 17 percent of the costs they create.

The fiscal burden of illegal immigration is due to several factors. First, because illegal aliens usually have low incomes, those who do pay taxes pay little, if anything. Second, illegal aliens incur significant costs to the taxpayer on a daily basis, because public services such as policing, K-12 education, emergency services, etc., are provided universally. Further, due to loose eligibility criteria – intentional or otherwise – many illegal aliens receive benefits from federal, state, and local jurisdictions, despite the fact that they have no legal status.

The majority of costs are incurred at the state and local level. The predominant cost at the state and local level is K-12 education of the children of illegal aliens, which costs taxpayers roughly \$70 billion each year. This estimate covers the education of children with no legal status and U.S.-born children. The second highest expenditure for illegal aliens at the state level is medical expenditures, which we estimate to be approximately \$22 billion annually. This figure includes costs attributable to uncompensated medical care, improper Medicaid payouts, Medicaid for citizen children of illegal aliens, and certain state laws that provide Medicaid coverage for illegal aliens.

What is clear from these numbers is that the impact of the border crisis is nationwide. It is being felt acutely in both border states and destination states. We can look to New York City as a good example, where over [180,000 migrants](#) have settled and [30,000 migrant children](#) have enrolled in New York City public schools. Mayor Eric Adams now anticipates the border crisis will cost the city [\\$10.6 billion](#) through the summer of 2025. While stunning to contemplate how a local jurisdiction could absorb so many people who have acute needs, little to no money, and lower education levels, this situation is being

replicated in cities across the country. These local costs for food and shelter, and other costs that are not well-documented, are not incorporated into our report. This means that taxpayers are paying much more than we estimate.

It does not have to be this way. Americans need not be paying billions of dollars as a result of illegal immigration. This is a man-made crisis. From the moment the Biden Administration took office, it tore down all programs and policies designed to deter illegal immigration. It immediately rescinded the Remain in Mexico policy and safe third country agreements, almost completely abandoned expedited removal, and began releasing illegal aliens *en masse* instead of detaining and deporting them as required by law.

Not only did the Biden Administration release the aliens *en masse*, it restricted enforcement policies so those aliens could not be apprehended in the interior. It dramatically curtailed ICE enforcement, attempted to institute a 100-day ban on deportations, left detention beds empty and failed to renew 287(g) agreements. The Department of Homeland Security even went so far as to declare that being inadmissible alone was not a sufficient reason to initiate deportation proceedings. The message was clear: there would be no consequences for illegal behavior. And, even if an illegal alien was put in removal proceedings, the Biden Administration saw to it that immigration judges could administratively close the case without deciding on the merits, letting illegal aliens walk out of court and carry on as if nothing had happened.

If that isn't bad enough, the Biden Administration has proactively taken steps to help illegal aliens obtain benefits. This has been accomplished through a variety of means, but in particular, through illegal parole programs and the retroactive granting of Temporary Protected Status (TPS). These programs and others that offer "lawful presence" but not legal status enable millions of illegal aliens to obtain work permits and Social Security numbers, and unlock the door to other benefits that Americans must shoulder.

To provide one example, let's examine the administration's parole program for Cuban, Haitians, Nicaraguans, and Venezuelans. Many people don't realize this program has an immediate and significant cost to taxpayers. Upon being paroled into the U.S., these aliens – who have no legal status – immediately become eligible for work permits, Social Security numbers, and Obamacare, and will be able to obtain valuable tax credits, such as the Earned Income Tax Credit (EITC) and the Additional Child Tax Credit (ACTC).

On top of that, parolees are eligible for federal benefits programs on the same terms as legal permanent residents. That means they immediately become "qualified aliens" under the law and after a five-year waiting period, they may receive benefits under Medicaid, Social Security, Supplemental Security Income (SSI), Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Federal Student Aid—assuming they otherwise qualify. For Cuban and Haitians, however, the five-year waiting period does not apply. That means that Cuban and Haitian nationals brought to the United States through the President's parole program are immediately eligible to apply for and receive benefits from all major federal benefits programs. This happens before they even file a tax return and despite the fact that they have no legal status.

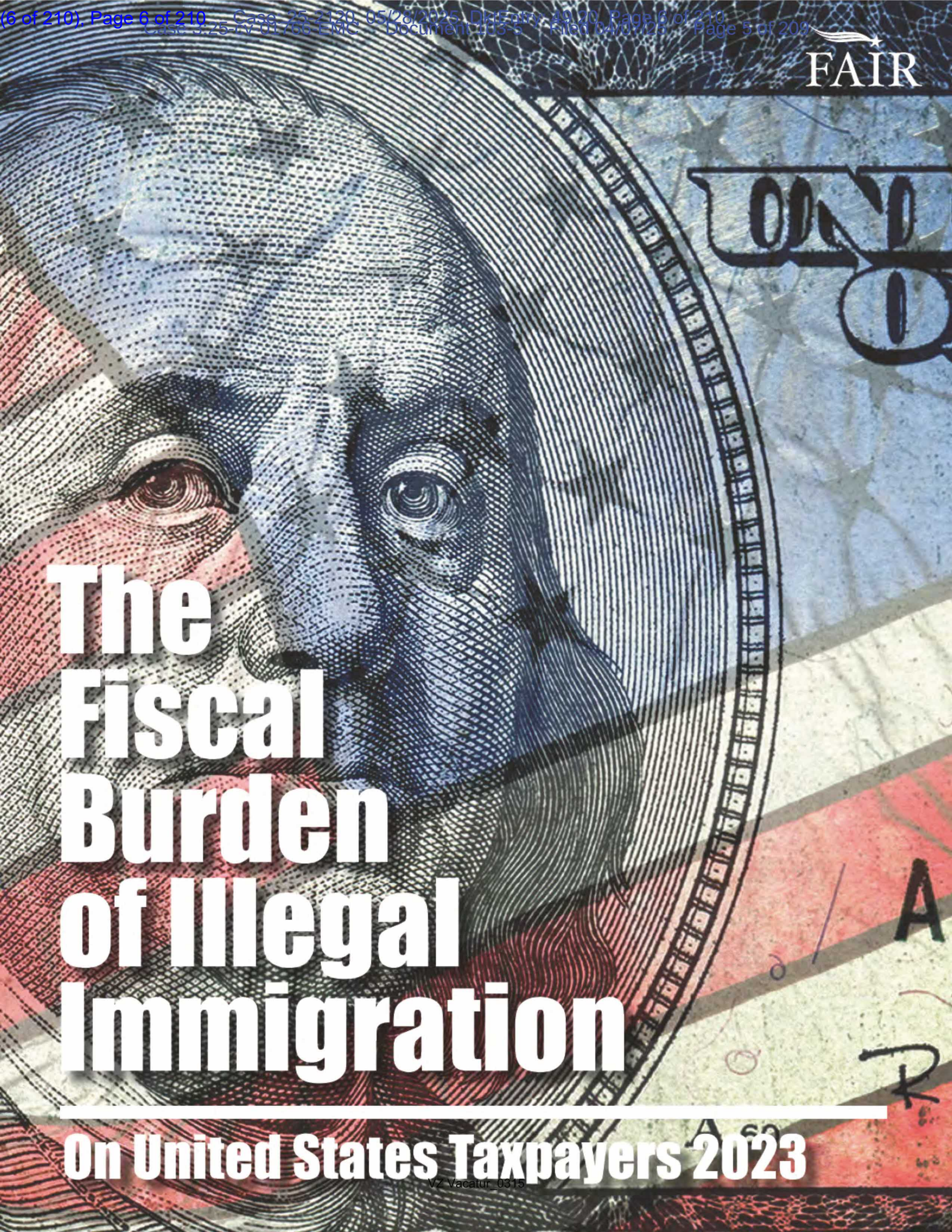
Members of the Committee, over the past three years, between 9-10 million illegal aliens have been encountered illegally crossing borders. On top of that, approximately 1.8 million illegal aliens have evaded Border Patrol agents and are counted as "gotaways." And there is no end in sight. If we do not

reverse course now, if we do not change our current policies, the numbers will only grow and the costs will only increase.

To demonstrate how these costs will grow, I had my staff do a rough calculation on the fiscal costs that will be incurred when all of the parolees who have arrived since the start of FY 2022 become fully eligible for federal benefits. Looking at only three programs, Medicaid, SNAP, and the Earned Income Tax Credit (EITC), and using all of the same assumptions as our current report, we estimate that the costs of illegal immigration will increase by \$20 billion. *That means the gross costs due to illegal immigration will soon surpass \$200 billion.* And this does not even include other federal benefits programs or state and local costs.

Supporters of the current open-borders policies often argue that nothing can be done. They cite unprecedented “global migration” forces as the cause. These forces are seemingly beyond anyone’s control, they say, or that they can only be controlled by addressing the “root causes” of migration. This argument, however, only looks at push factors at work. It does not contemplate the much stronger pull forces ignited by the current policies. Just consider the case of Venezuela. The Maduro regime led 7.7 million Venezuelans to leave their country since 2014 and search for a better life. However, about 84 percent of those who left Venezuela since 2014 first settled in neighboring Latin American countries. Mass migration to the United States did not begin until 2021, when open-borders policies were implemented.

In reality, the true “global forces” driving the current wave of illegal immigration over our borders are the open-borders policies of the current administration. This crisis can be stopped. We urge Congress to step in and return our immigration system to a lawful, orderly one that places the interests of Americans first.



The Fiscal Burden of Illegal Immigration

On United States Taxpayers 2023

The Fiscal Burden of Illegal Immigration On United States Taxpayers 2023

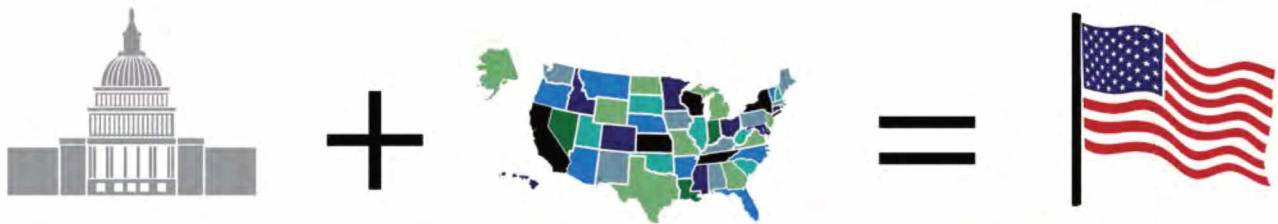
A FEDERATION FOR AMERICAN IMMIGRATION REFORM RESEARCH REPORT

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The Fiscal Burden of Illegal Aliens on U.S. Taxpayers

Total Governmental Expenditures on Illegal Aliens



Total Federal Expenditures	Total State & Local Expenditures	Total National Expenditures
\$66,449,136,000	\$115,608,730,000	\$182,057,865,000

Total Tax Contributions by Illegal Aliens



Total Federal Taxes Paid	Total State & Local Taxes Paid	Total Tax Contributions
\$16,219,495,000	\$15,172,140,000	\$31,391,635,000

Total Fiscal Burden of Illegal Aliens



Total National Expenditures	Total Tax Contributions	Total Burden on Taxpayers
\$182,057,865,000	\$31,391,635,000	\$150,666,230,000

Total Fiscal Burden of Illegal Aliens on U.S. Taxpayers:

\$150,666,230,000

Introduction

This report is currently the only comprehensive examination of the financial impact of illegal immigration in the United States. Every day, hundreds of millions of dollars in American taxpayer money are spent on costs directly associated with illegal immigration. Only a small fraction of these costs is ever recouped from taxes paid by illegal aliens, with the rest falling on the shoulders of American citizens and legal immigrants.

Our aim in this report is to show the American people the fiscal burden of illegal immigration at every level and across nearly all aspects of life. These costs range from emergency medical care to in-state tuition; from incarcerating illegal aliens in local jails to federal budgets that pay out billions in welfare every year. Because there are so many different ways that money is spent on illegal aliens at both the state and local levels, the information in our report is otherwise hard to find (or even intentionally hidden). This report supersedes FAIR's 2017 cost study¹ and highlights massive increases in spending related to illegal immigration that were implemented while American citizens deal with an uncertain economy.

Why does this matter?

Put simply, almost all expenses associated with illegal immigration are preventable. Illegal immigration's annual net burden on the economy, now more than \$150 billion, is greater than the annual GDP output of 15 U.S. states.² There is a strong correlation between the security of America's borders and the rate at which the cost of illegal immigration increases. With proper border controls and the enforcement of laws already on the books, the cost of illegal immigration would be greatly reduced.

The period since FAIR's last fiscal burden study in 2017 has not been easy for the American people. A global pandemic and economic disruptions have drastically raised the prices of necessary goods and services, and has contracted the jobs market so that many citizens remain without gainful employment. Because these factors are also global, the U.S. remains a magnet for foreign nationals who wish to compete for the jobs and benefits that American citizens rely on. While millions of Americans are struggling to put food on the table and hold gainful employment, we believe they deserve to know where their federal, state, and local tax dollars are going.

Overview

This report examines the annual fiscal impact of illegal aliens on at both the federal and state levels. FAIR used the most recent data available and accounted for new programs and legislative/policy developments up to the end of 2022. Significant temporary spending related to illegal immigration, like aid programs during the COVID-19 pandemic, also took place during the study period. While we do highlight COVID-related costs, they are not included in our overall totals because of their temporary nature, and this report strives to paint a picture of more static costs.

This project contains extensive analysis of both federal and state/local spending on many fronts, reflecting the nationwide scope of illegal immigration. From public schooling and postsecondary education programs, to welfare and healthcare costs, we account for as many known costs as possible. This wide scope is important, as the highest costs often occur outside of traditional illegal alien destinations.³

In total, the gross cost of illegal immigration now total \$183 billion, up more than 35.7 percent since 2017. The cost incurred per illegal alien (including their U.S.-born children) has increased as well, now totaling \$8,776 annually.

Because this report covers the full fiscal impact of illegal immigration, it also includes the contributions of illegal aliens to the economy. These include tax payments made directly to state and local jurisdictions, the federal government, as well as excise, property, and sales taxes. However, these receipts fall far short of covering the expenses incurred due to illegal immigration. Taxes paid by illegal immigrants only covered around 17.2 percent of the costs they created for American citizens.

When the taxes paid by illegal aliens are factored in, the net cost of illegal immigration to U.S. taxpayers is now \$150.7 billion. This means that each American taxpayer shells out a net average of \$956 (or \$1,156 before the taxes paid by illegal aliens are factored in) due to illegal immigration.⁴

What's Changed

Since our 2017 report, the immigration landscape has shifted significantly. The Trump administration engaged in an aggressive approach towards combatting illegal immigration, which increased spending on security but also tempered the growth of other federal expenses tied to illegal immigration. However, even this slower growth was offset by an increase in states expanding programs available to illegal aliens like in-state tuition and certain medical benefits. In many cases, these expansions were a reaction to those administration policies, but they have continued to broaden in scope under the Biden administration.

Currently, under the Biden administration, the U.S. is experiencing a full-fledged migration crisis. The

illegal alien population is expanding rapidly after drastic cutbacks to border security, with monthly encounters hitting all-time highs. The administration is now attempting to redirect additional border security funding to expand migrant processing initiatives that have, so far, only spurred additional illegal immigration. Another new program is set to allow tens of thousands of illegal aliens to fly directly into the United States monthly under “humanitarian parole.”

This self-imposed crisis is only driving the costs associated with illegal immigration even higher. States like Texas and Arizona have been forced to spend huge sums to compensate for reduced federal law enforcement presence on the border. Meanwhile, the federal government and states like California and New York alike are increasing illegal alien access to taxpayer-funded benefits.⁵ Various policy shifts have made it harder to obtain data on these increases in spending from the federal government, but FAIR has exhaustively analyzed the effects of our ongoing illegal migration crisis in this report. The net result has been a sharp increase in the fiscal costs of illegal immigration under the Biden administration that shows no signs of slowing down.

A Note on the Lack of Transparency in Government Data Reporting

Information transparency is essential to good governance. It encourages a well-informed citizenry to hold their elected officials responsible and motivates those officials to implement policies that benefit their constituents instead of special interest groups. Furthermore, citizens have the right to know pertinent information, presented in a clear and comprehensible manner, on issues that impact them. Unfortunately, there is a concerning lack of transparency and openness when it comes to the issue of illegal immigration.

While preparing this study, we often had to grapple with a paucity of easily accessible official data. Many state and federal entities do not publish detailed data that they collect, making it difficult to reliably separate illegal aliens from citizens or lawful immigrants in many of the fields covered in this report. We have also encountered cases where the current administration has revoked or restricted documents published by previous administrations in order to reduce the visibility of data which shines a negative light on their immigration policy agenda. Extremely helpful publications like the Alien Incarceration Report, which documented foreign criminals in custody in the United States, are no longer updated under the Biden administration. This kind of subtle de facto censorship is highly unethical and does not serve the interests of the American public.

Thankfully, we were able to find most of the necessary information to complete this study by analyzing existing databases and publications from the federal and state/local governments as well as other reputable organizations and academic institutions. However, as is noted throughout this report, there were a few instances where we were unable to obtain enough data to make reliable estimates. For

example, illegal immigration imposes a significant direct cost on the United States in the form of gang-related crime and trafficking of drugs and humans, but thanks to jurisdictional differences and “sanctuary” policies that protect criminal illegal aliens in many states or localities, this cost often remains a “known unknown.” For other topics, like post-secondary education, we had to stitch sources together and create new methodologies in order to calculate our estimates because, while the relevant data is tracked, it is fragmented across different sources.

So, why are Americans being kept in the dark? Primarily because the political and ideological influence of the open-borders lobby, both within and outside the federal government, holds significant sway over the Biden administration and many state governments. This “hear nothing, see nothing, say nothing” attitude is rooted in the hope that if the American public doesn’t have easy access to valid information regarding the impacts of illegal immigration, they will accept the lie that no problem exists.

In carrying out this study, FAIR is advancing the belief that the American people have a right to transparent and accurate information so that they are fully informed of what is occurring in their country and how much it costs them.

Summary of Methodology

FAIR made every effort to source the data in this report from government agencies and testimony from government officials, using these as the foundation of our estimates. When official data is unclear or unavailable, FAIR looked to research generated by credible, non-partisan organizations and academic institutions. On the rare occasions that a calculation must be estimated and/or assumed, we offer a detailed reasoning for the estimation so that readers can examine the relevant information and judge our conclusions for themselves. For the sake of maximum accuracy, we have noted various areas where we believe it is impossible to estimate a cost.

Throughout this study, we have taken caution to never overestimate totals, and have chosen to err on the lower side of cost estimates, and the higher side of tax contributions, when our calculations resulted in a range instead of a static figure. We do this to ensure that our cost figures do not extend beyond what the evidence can empirically prove. Combining this with the fact that there are some costs that cannot be reliably estimated, it can be safely assumed that the actual cost of illegal immigration is considerably higher than the final tally offered here. Given current trends – rapidly increasing illegal immigration, increased federal and state government spending, inflation, and the fact that numerous state benefits are set for expansion to unauthorized migrants – the fiscal burden of illegal immigration is sure to grow even higher in the near future.

Every effort was made to find and utilize the most recent data available as a basis for calculations; thus, the majority of the data is drawn from sources covering between fiscal years (FY) 2020 and 2022. However, the COVID-19 pandemic, and the massive government spending binge it caused, complicated our calculations. In cases when spending on various programs was sharply but temporarily increased during the pandemic, we preferred to utilize pre-pandemic data and adjust accordingly for inflation and/or other developments in order to paint a more accurate picture of the static costs. We do not include pandemic-related spending measures unless they were enacted as permanent programs. However, we make a point to highlight these costs in their relevant sections so that readers are aware of their impacts.

An essential part of our calculations relies on FAIR's latest illegal alien population estimate, which is 15.5 million (20.9 million when the U.S.-born children of illegal aliens are included) as of the beginning of 2022.⁶ Our estimate is higher than those offered by most mainstream immigration research organizations, most of which stick to the oft-repeated "10-11 million" figure, despite record illegal immigration over the past couple of decades and even further surges over the past few years. Most mainstream estimates fail to take into account the constant rate of growth in this demographic, overestimate the outflow rate of illegal aliens, and/or have deceptively lowered the rate at which they believe the U.S. Census Bureau undercounts illegal aliens. Moreover, for ideological reasons, many groups also misclassify the increasing influx of unaccompanied alien minors (UAMs), Temporary Protected Status (TPS) recipients, Deferred Action for Childhood Arrivals (DACA) beneficiaries, and parolees as being in the United States "legally." This is a dishonest characterization because such individuals have not received any lawful immigration status. Rather, these illegal aliens have merely received temporary and discretionary reprieves from removal and lack a clear pathway to citizenship.

Finally, it's important to note that FAIR includes costs incurred by the minor, U.S.-born children of illegal aliens, as these costs are fully attributable to their parent's unlawful residence in the United States. Many mass-immigration apologists claim that this is an unfair inclusion, as the estimate does not include any long-term contributions made by these minors once they become adults. However, further research has demonstrated that the children of migrants – especially illegal aliens – no longer see significant economic improvement as was the case several decades ago.⁷ Therefore, if we did attempt to account for their future tax contributions, we would also need to account for their reliance on state and federal benefits programs. This would likely only serve to increase our cost estimates further, not drastically lower it as many open border advocates insist.

Part I: Federal Expenditures and Receipts



Federal Education Costs

Education

Primary and Secondary Education (Title I-A) **\$3,020,696,000**

The “Every Student Succeeds Act” Title I, Part A (ESEA Title I-A) provides for grants of supplemental federal funding to increase educational opportunities for and improve the academic performance of children from low-income families, among whom illegal aliens and their children are disproportionately represented. Approximately 47 percent of all K-12 students in the country qualify for these grants either individually or on a schoolwide basis.⁸ In 2022, just over \$17.5 billion was budgeted for this program.⁹ Based on FAIR’s income profile for illegal aliens, the vast majority of the children of illegal aliens will fall within the economic eligibility criteria applicable to this program.

FAIR estimates that as of 2022, after years of unprecedented illegal immigration and a surge in unaccompanied minors arriving in the United States, approximately 5 million K-12 students in the United States are illegal aliens or the children of illegal aliens.¹⁰ Furthermore, this population is heavily overrepresented among Title I-A recipients due to their families’ lower income levels, comprising nearly 20 percent of total recipients by our estimates. Using calculations based on this proportion and the program’s overall budget, FAIR estimates that approximately \$3 billion is spent annually on Title I-A grants to K-12 students linked to illegal immigration.

Limited English Proficiency (LEP) – Title III

\$580,895,000

The federal government provides Title III-A grant funding to the states based on census data on school-age limited English proficiency (LEP) youth. This funding is dedicated to improving English-language acquisition for students whose native language is not English. According to U.S. Department of Education data, \$831,400,000 was allocated in FY 2022 in support of supplemental English language instruction.¹¹ Of that amount, \$764,335,990 was distributed to states based on the number of English learners in their schools.

In FAIR’s recent report on education, we estimated that in 2020 approximately 3.6 million LEP students in American schools were either illegal aliens or the children of illegal aliens.¹² Due to unchecked illegal migration and the arrival of unprecedented numbers of unaccompanied minors, we now estimate that the number of students connected to illegal immigration has increased to approximately 3.8 million.¹³ This represents 76 percent of LEP students in the U.S. Based on the per-student costs detailed in our aforementioned study on education, it can safely be estimated that illegal aliens and their children account for almost \$581 million in Title III-A funding in FY 2022.

Migrant Schooling (Title I-C)

\$239,418,000

The Migrant Education Program (MEP) was established in 1966 as part of the Elementary and Secondary Education Act. Its goal is to help migrant students who move between different areas inside of the United States regularly during the year receive an adequate education and meet academic standards. These students often face challenges to learning because they may interact with inconsistent curricula and are not settled long enough to meaningfully engage with their schools. The federally appropriated funds for this program were \$423,749,000 in FY 2022.¹⁴

The U.S. Department of Education indicates that the primary beneficiaries of the MEP program are “the children of migrant agricultural workers and fishers.”¹⁵ The majority of migrant agriculture and fisheries workers are illegal aliens — approximately 56.5 percent — according to a study conducted by the Pew Research Center.¹⁶ Therefore, using these assumptions as a basis for our methodology, FAIR estimates that approximately \$239,418,000 of the MEP budget goes to educating the children of illegal aliens.

Head Start

\$2,768,080,000

The federal Head Start and Early Head Start programs combine federal funding (\$11.037 billion budgeted for FY 2022) with local matching funds. There is little data on the exact enrollment of illegal-immigration-connected participants in these programs, but children with a non-English home language make up at least a third of total Head Start enrollment.¹⁷ In FAIR’s most recent study of education

costs, we determined that approximately 76% of LEP students in primary and secondary education nationwide are the children of illegal aliens. While illegal alien participation in Head Start is likely to be somewhat lower because of a general reluctance to engage with federal aid programs in many cases (as noted elsewhere in this report), this is counterbalanced by a higher poverty rate that increases the likelihood they will be eligible. Using a conservative estimate that the proportions are the same for illegal alien households with children, which correlates with the generally low English proficiency rates of illegal aliens, we estimate that around 25% of Head Start enrollment pertains to the children of illegal aliens. This means that the total federal Head Start expenditures attributable to illegal immigration are well over \$2.7 billion.

COVID-19 Relief Funds

The use of pandemic relief funds for illegal aliens and their children in schools was also noted in FAIR's recent report on the excessive costs that bilingual education imposes. The COVID-19 pandemic had particularly heavy impacts on LEP students, the vast majority (76 percent) of whom are illegal aliens or the children of illegal aliens. Most LEPs do not have an English-speaking home environment to maintain their limited skills during periods of online schooling. As a result, school districts across the country were burdened with dedicating millions of dollars of COVID-19 relief funds to special bilingual/LEP programs that do not serve the general student population.



demic, Congress passed three different relief packages: the Secondary School Emergency Relief (ESSER) Fund packages I American Rescue Plan (ARP). These programs awarded grants in part to offset the impact of pandemic shutdowns on schools.¹⁸ In total, schools received over \$189.5 billion, an unprecedented level of federal spending, for the first time in U.S. history. The ARP ESSER funds for education, totaling \$122 billion, require states to set aside 5 percent, and districts 20 percent, of the federal funding for “most affected students,” specifically mentioning LEP students multiple times.¹⁹ This means a huge allocation of limited funds to assisting LEP students, mostly the children of illegal aliens, at the expense of taxpayers.

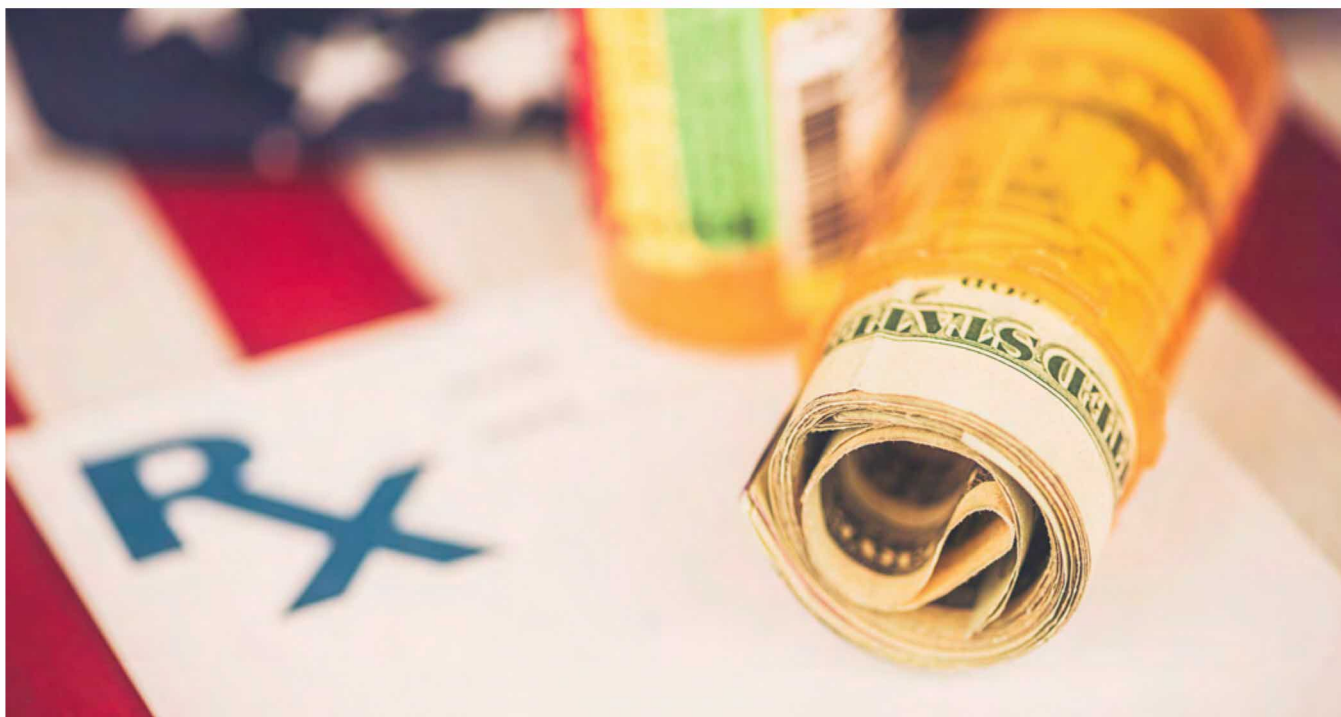
In addition, many districts spent large chunks of discretionary relief funding on services specifically for LEP students. Fairfax County Public Schools in Virginia, for example, spent \$2,681,449 of ARP funds on LEP-specific services with no relevance to the general student population.²⁰ The same is true of dozens of other school districts as well. The total cost of this relief funding giveaway for illegal aliens is split across thousands of school

districts that compile budgets in different ways and is likely incalculable. If ascertained, however, it would likely be included as one of the single largest education-related costs of 2020 and 2021 that illegal aliens imposed on the American taxpayer. Since it is impossible to decipher to what degree funds were used for the education of illegal aliens, and since these are not regular annual expenses, we do not ascribe a total to this cost. However, it is something worth noting as it certainly resulted in a temporary – but significant – burden on U.S. taxpayers.

Total Federal Educational Expenditures:

Primary and Secondary Education - Title I-A	\$3,020,696,000
Limited English Proficiency (LEP) - Title III	\$580,895,000
Migrant Schooling (Title I-C)	\$239,418,000
Head Start	\$2,768,080,000

Total	\$6,609,089,000
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Federal Medical Costs

Medical Costs

Most (but not all) illegal aliens are, as a matter of law, barred from receiving welfare benefits through targeted aid programs that are jointly administered by states and the federal government. This bar was put in place by the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA).²¹ The PRWORA states that “aliens who are not qualified aliens” are ineligible for “federal public benefits” and for “state and local public benefits.” The act defines a qualified alien as any immigrant “who is lawfully admitted for permanent residence under the Immigration and Nationality Act,” or who meets at least one of several other exceptions listed in Section 431 of the Act. These exceptions cover many people who are unlawfully present in the United States but have been granted deferred action through programs such as parole with a set term of at least one year, TPS, and several other categories.

In addition, many states still provide subsidized healthcare services to illegal aliens (more on these programs can be found in the part of this report that covers state healthcare). These programs technically do not violate the terms of PRWORA if they are solely funded by state taxpayers. However, the diversion of state taxes into these types of programs often result in larger state requests for federal budget assistance, as including low-income illegal aliens often make states eligible for additional federal

grants. Much of this assistance is provided in the form of supplemental healthcare funding distributed to state providers.

Medicaid is a joint federal and state program that provides healthcare coverage to children, pregnant women, senior citizens, and individuals with disabilities, among others. While most illegal aliens are technically excluded from full Medicaid programs, they may still receive Medicaid coverage for prenatal and obstetric care. These services are provided based on the idea that the unborn child, rather than the illegal alien mother, is the one receiving medical treatment. In addition, under the current interpretation of the 14th Amendment to the Constitution, the U.S.-born children of illegal aliens are natural-born U.S. citizens. Quite often, they are also considered “targeted low-income children” eligible for Medicaid and other federal medical assistance programs.

Finally, it is unclear if the thousands of illegal aliens paroled into the country by the Biden administration will become eligible for Medicaid and other federal benefits. Paroled illegal aliens can receive certain benefits if the terms of their release is for a period of at least one year, but there is little information on whether these parolees from the border are receiving any set term lengths at all, and what federal benefits are being extended to them.

Uncompensated Hospital Expenditures **\$8,153,000,000**

In 2017, the federal outlay to help cover uncompensated care provided to uninsured individuals was approximately \$21.7 billion annually. Assuming these reimbursements occur at a similar rate today, that accounts for approximately \$26.3 billion.²² The national uninsured population of all ages was 26.4 million in the first quarter of 2022.²³ According to a 2019 estimate from the Migration Policy Institute, a little over half (53 percent) of the illegal alien population in the United States is uninsured.²⁴ This proportion would suggest, according to FAIR’s most recent estimates of the Illegal aliens population, that roughly 8.2 million of the illegal aliens currently in the country do not have insurance coverage, making up approximately 31 percent of the total uninsured population.²⁵ If uninsured illegal aliens are assumed to require healthcare at a rate similar to other uninsured persons, they would make up approximately \$8.2 billion of the uncompensated hospital expenditures in the United States.

Medicaid Births **\$1,596,902,000**

After rising rapidly since the 1980s, births to illegal alien mothers dropped along with the overall birth rate during the Great Recession (2008-2010). Since then, the numbers have held relatively steady. The Center for Immigration Studies (CIS) estimated that in 2014, illegal alien mothers in the U.S. gave birth to 297,000 children, or 7.5 percent of total births.²⁶ In 2020 (the most recent year for which statistics are available), foreign-born mothers accounted for 22 percent, or 790,041, of the nationwide total of about 3.6 million births.²⁷

Medicaid paid for 42 percent of all births in 2020.²⁸ However, a study published in 2018 found that 48 percent of foreign-born women had their births paid for by Medicaid, compared with 42 percent of native-born mothers.²⁹ This would mean that Medicaid covered the costs of approximately 377,000 births (48 percent) to foreign-born mothers. The cost of those births is shared between the federal and the state taxpayer. The total cost depends on the type of delivery and whether complications occur.

We assume that the birthing costs incurred by illegal alien mothers will be roughly similar to legal immigrant and native mothers. According to past medical research conducted in Colorado, illegal alien mothers “have lower rates of pre-term delivery and low birth weight infants, but higher rates of pregnancy related risk factors.” These risk factors are offset by other factors, such as illegal alien mothers consuming less tobacco and alcohol than the national average, lower hypertension rates and other factors.³⁰ Based on the birth rates observed in the Colorado study, this indicates that roughly 201,960 (68 percent) of current illegal alien births were natural, and 95,040 (32 percent) were surgical. Again, these rates suggest that the average costs for illegal aliens will be similar to the overall national average.

The federal share of the expenditure varies among states, averaging out to approximately 63 percent overall. Thus, to determine the cost of illegal aliens using Medicaid to fund births, we remove the percentage of illegal aliens believed to have some form of health insurance, which is approximately 47 percent. The uninsured remainder comes out to 157,410 births — 107,038 naturally, and 50,371 by surgical intervention. With natural births costing \$13,024 on average and surgically-assisted births averaging \$22,646, the total, combined state and federal expenditure for obstetric medical costs is approximately \$2,534,764,578.³¹ With 63 percent of these costs being covered by the federal government, the total federal cost comes out to \$1.6 billion.

This estimate is certainly on the conservative side of reality. In 2007, a report in the *Journal of the American Medical Association* found that “... a little-known part of the state-federal health insurance program for the poor,” known as Emergency Medicaid, “pays about \$2 billion a year for emergency treatment for a group of patients who, according to hospitals, mostly comprise illegal immigrants. Most of it goes to reimburse hospitals for delivering babies for women who show up in their emergency rooms, according to interviews with hospital officials and studies.”³² A portion of this expenditure is attributable to the \$1.6 billion Medicaid spends on illegal alien births. However, there is little recent data regarding what percentage of that \$2 billion expense covers emergency obstetrical services for illegal aliens (given both inflation and increased Medicaid spending since then, this figure is certainly much higher now). Without further data, FAIR is unable to estimate a reliable value for this additional expenditure.

Improper Medicaid Payments

\$7,997,566,000

The total amount of improper Medicaid payouts in the United States during FY 2022 was approximately \$80.6 billion, or 15.6 percent of total outlays.³³ By contrast, Medicaid Fraud Control

Units (MFCUs) were able to recover only \$1.7 billion in FY 2021 (when improper payments were \$99 billion, 22 percent of total outlays), around 1.7 percent of the total improperly paid.³⁴

Assuming that uninsured illegal aliens receive improper Medicaid payouts and/or commit Medicaid fraud at the same rate as U.S. citizens — a very conservative estimate, considering illegal aliens are both more likely to commit document-related fraud and have greater incentive to commit Medicaid fraud — there would be approximately 1,284,508 illegal aliens receiving improper Medicaid payouts each year. The average improper Medicaid payout per-person comes out to approximately \$6,226, meaning the overall annual total loss attributable to illegal aliens is approximately \$8 billion.

Medicaid for U.S.-born Children of Illegal Aliens

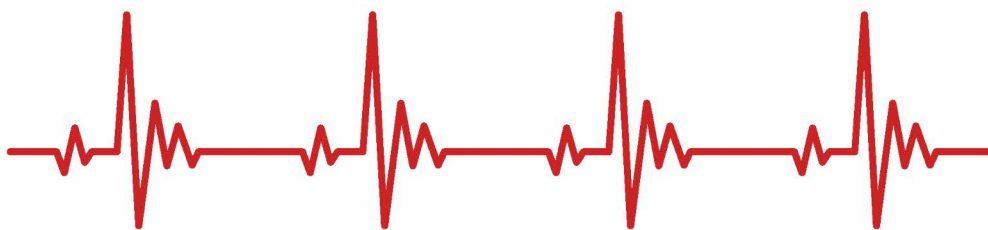
\$5,385,007,000

U.S. citizens and Lawful Permanent Residents (green card holders) are eligible for Medicaid benefits; therefore, the U.S.-born children of illegal aliens are eligible for Medicaid. While these children were born in the United States, they would not be present in the United States had their parents not entered the U.S. illegally or overstayed a visa. These children are typically classified as low-income (see FAIR's income profile of illegal aliens in this report). Because of this, they represent a significant burden on the U.S. Medicaid program.

There is a strong correlation between uninsured status and low income.³⁵ The vast majority of uninsured people in the United States are low-income earners, for the simple reason that it is more difficult for low-income individuals to afford health insurance and low-wage jobs are likely to offer fewer health benefits.³⁶ Therefore, low-income families depend more on government healthcare programs to pay for any medical treatment that they require.

Per federal guidelines, in order to be eligible for Medicaid on the basis of low income, children must be members of a family earning an income less than 138 percent of the federal poverty level (FPL). States have the option to extend Medicaid coverage to those whose income is too high to qualify under federal guidelines, but most states have set their guidelines at 138 percent of the FPL.³⁷ The average family headed by an illegal alien falls around or below the FPL, and therefore their U.S.-born children will be eligible for Medicaid. Many other illegal aliens are likely utilizing various methods of fraud to improperly obtain Medicaid, as regularly occurs with other federal benefit programs.

At least 53 percent of illegal alien households are uninsured, meaning that approximately 2.83 million U.S.-born children of illegal aliens are without insurance.³⁸ Based on the foregoing evidence, FAIR estimates that approximately 75 percent of these 2.83 million U.S.-born children of illegal aliens (2.1 million) are eligible for receiving, Medicaid as members of



low-income households, a similar rate to households with a non-illegal head of household. This accounts for the few illegal alien families whose income is in fact too high to qualify, as well as others who avoid interacting with federal programs to maintain a low profile.

Per the Medicaid and CHIP Payment and Access Commission, average Medicaid spending per enrolled child in 2020 was \$3,500.³⁹ Adjusted for inflation, the total today is now around \$4,030. This would make the annual Medicaid spending on the U.S.-born children of illegal aliens about \$8.5 billion. The federal share of that expenditure (63 percent) is about \$5.4 billion annually, with the remainder being a cost borne by the states (see the state and local portion of this report for those totals).

Affordable Care Act (ACA)

The ACA allows for eligible individuals to apply for various levels of federally subsidized healthcare, depending on their annual income. While most illegal aliens do not qualify for coverage under the ACA, some with certain designations and deferments do. These categories include those with TPS, Deferred Enforced Departure (DED), Deferred Action Status (other than DACA), victims of trafficking, some asylum applicants, and several other categories.⁴⁰

Data is lacking on exactly how many individuals fall into each of these categories. However, when taking maximum estimates from various immigration agencies and organizations, it is estimated that somewhere between 500,000 and 1 million illegal aliens fall into an immigration category covered by the ACA. Unfortunately, without more information regarding the total number of illegal aliens that qualify for coverage along with their income levels, family size, and/or participation in other programs covered by this report, it is impossible to estimate how many illegal aliens participate in the ACA, and what level of federal subsidy they receive. However, this number is almost certainly substantial, and the federal government should be reporting the extent to which those who entered the country illegally participate in this program.

Total Federal Medical Expenditures

Uncompensated Hospital Expenditures	\$8,153,000,000
Medicaid Births	\$1,596,902,000
Medicaid Fraud	\$7,997,566,000
Medicaid for U.S.-born Children of Illegal Aliens	\$5,385,007,000
<hr/>	
Total	\$23,132,475,000



Federal Justice Costs

Justice Enforcement

Immigration enforcement constitutes a significant portion of the overall federal law enforcement budget. Because every crime committed by an illegal alien is inherently a preventable crime, immigration has a broad effect on justice expenditures beyond the costs directly involved in securing the borders and managing ports of entry. Therefore, this report separates federal immigration enforcement expenditures into two categories: 1) the cost of securing the border, managing ports of entry, and processing/removing immigration violators from the interior; and 2) the cost of prosecuting/incarcerating federal criminal aliens and subsidizing state and local law enforcement expenses connected with illegal immigration (e.g., housing illegal aliens in local jails, information-sharing costs, etc.)

Most of these expenditures cannot be eliminated as long as the United States remains the most common destination for illegal migrants. However, many of them could be drastically reduced by the construction of a functional border barrier, the implementation of effective deterrents to illegal immigration, and the comprehensive detention and removal of criminal aliens living in the United States. In addition, the refusal of many countries to accept their own citizens when they are deported from the United States also increases costs to the American taxpayer.⁴¹

Federal Incarceration

\$1,670,374,000

The illegal alien population consists of both those aliens who entered the United States without authorization and those who entered the United States lawfully but overstayed their authorized period of stay. Illegal aliens are subject to removal from the United States simply because they are present in the United States without authorization. However, many illegal aliens come to the attention of DHS only when they are arrested for the commission of a crime.

Legal immigrants are also subject to deportation if convicted of certain crimes. However, data indicates that these immigrants tend to commit crimes at a lower rate than illegal aliens.⁴² This is unsurprising since the very concept of illegal immigration requires a certain level of disrespect for the laws of the destination country. We include costs of incarcerating legal immigrants if their convictions are likely to lead to the loss of their immigration status.

Illegal aliens who come to the U.S. for economic gain often commit crimes such as identity theft or using fraudulent documents to work illegally, unlicensed driving, tax evasion, and/or unlawfully obtaining public benefits. Moreover, many illegal aliens cross the border without authorization specifically for the purpose of engaging in criminal activity within the U.S., such as drug and human trafficking. Conversely, legal immigrants have a greater incentive to avoid criminal behavior due to the possibility of losing their hard-earned legal status if convicted.

The majority of illegal immigrants who are convicted of crimes are prosecuted in state courts and confined to state correctional facilities to serve out their sentences. These expenses are addressed in the section of this report covering the state costs of illegal immigration. By contrast, the population of foreign-born individuals incarcerated in Federal Bureau of Prisons (BOP) facilities tends to include more illegal aliens than foreign-born populations incarcerated in state prisons.⁴³ This is because the federal government has exclusive jurisdiction over immigration-specific crimes. Therefore, both legal and illegal migrants convicted of criminal violations of the INA are confined to federal prisons. Illegal aliens who have been taken into custody by the federal government and placed in deportation proceedings will also be held in federal detention facilities. Both BOP and ICE maintain such

facilities. This section addresses BOP costs as well as costs borne by the US Marshals Service (USMS), which detains many illegal aliens before trial and before sentencing. The following sections on ICE expenditures include the costs of detaining aliens in facilities owned and operated by that agency.



BOP statistics indicate that by the end of 2022, the number of alien inmates in BOP custody is 25,608, a number that has been slowly increasing since many prisoners were released during the COVID-19 pandemic.⁴⁴ A 2019 report by the Department of Justice estimates that 94% of alien inmates in BOP custody have no claim to lawful status.⁴⁵ The cost to incarcerate federal inmates has increased markedly in the past few years, with the FY 2020 figure of \$39,924 per inmate being an approximate increase of \$4,500 from the previous fiscal year.⁴⁶ While the COVID-19 pandemic has delayed the release of the most recent statistics on the cost of incarceration, generously assuming a similar figure to FY 2020 would imply annual costs of over \$1 billion for alien BOP inmates alone.

The USMS also incurs significant costs related to illegal aliens because they are responsible for much of federal pre-trial and pre-sentencing detention. While USMS custody is more short-term, it also sees much higher annual numbers than the BOP. Approximately 37 percent of individuals in USMS custody at any given time are illegal aliens, with 98 percent of that group being criminal illegal aliens.⁴⁷ This high percentage of illegal aliens in USMS custody and USMS's consistent custody numbers year-over-year translate to approximately \$648 million in annual spending on custody and transportation for illegal aliens.

Enforcement and Removal Operations (ERO) \$4,118,902,000

The branch of DHS responsible for interior enforcement of the Immigration and Nationality Act is U.S. Immigration and Customs Enforcement (ICE). Within ICE, the office most directly involved in the arrest and deportation of illegal aliens is the Office of Enforcement and Removal Operations (ERO). ERO is responsible for apprehending illegal aliens and placing them in removal proceedings, detaining aliens who are a flight risk, and effectuating the removal of aliens ordered deported by U.S. immigration courts or federal district courts. To accomplish its mission, ERO works with state, local, and other federal law enforcement agencies to identify and process illegal aliens. This includes lodging "detainer" requests with state and local agencies to ensure that criminal illegal aliens are transferred into DHS custody, especially when those jurisdictions have entered into 287(g) agreements with ICE that allow local and state officers to assist with immigration law enforcement.⁴⁸

ERO also liaises with the Federal BOP to ensure that illegal aliens being held for ICE pending immigration hearings are processed appropriately. In addition, ERO works with BOP to make sure that illegal aliens incarcerated for federal crimes are promptly deported when their sentences are completed. ERO activities incur a broad range of annual expenses, including holding aliens in DHS-operated detention facilities, or leased facilities. The FY 2021 budget for ERO was about \$4.11 billion, and it is appropriate to attribute the entirety of this budget to combating illegal immigration.⁴⁹

Customs and Border Protection (CBP)

\$8,565,574,000

U.S. Customs and Border Protection (CBP), another DHS agency, is responsible for securing the borders of the United States and managing land, sea, and air ports of entry. CBP acts as the first line of defense against illegal entry, alien and drug smuggling, and human trafficking. A large portion of CBP's responsibilities relates directly to detecting, deterring, and prosecuting illegal immigration.

CBP is also responsible for the trade management, impost collection, licensing and enforcement duties that were handled by the U.S. Customs Service prior to the formation of DHS. Therefore, we must determine which costs relate to trade management and impost functions and which arise directly from border security functions.

Breaking down the enacted FY 2022 budget by component, Congress directly appropriated a total of \$8,565,574,000 for the components of CBP involved in border security, which is effectively everything outside of the CBP Office of Trade.⁵⁰ This large figure reflects the scale of the border crisis and its continuous growth. The FY 2023 President's Budget, which is essentially the administration's wish list, would eliminate appropriated border wall funding but ultimately increase the border-related spending total above \$9 billion if enacted because of the demands illegal immigration imposes on CBP.

Other ICE Operations

\$1,715,897,000

ICE is responsible for enforcing both civil and criminal immigration laws within the interior of the United States. Non-ERO ICE operations conducted by the Homeland Security Investigations (HSI) department involve detecting, arresting, and prosecuting lawfully present aliens who engage in criminal acts, as well as detecting, detaining, and criminally prosecuting illegal aliens involved in, human trafficking and smuggling, drug trafficking, and gun running. ICE is also responsible for the enforcement of U.S. customs laws within the interior of the United States and investigations of certain transnational crimes. As such, it handles some of the impost collection, licensing and enforcement duties that were handled by the U.S. Customs Service prior to the formation of DHS.

Accordingly, it is necessary to distinguish non-ERO ICE expenses associated with the criminal prosecution of lawfully admitted alien criminals, international terrorism interdiction, and customs enforcement duties, from those expenses related to the criminal investigations of illegal aliens.⁵¹ HSI operations are budgeted at approximately \$1.7 billion in FY 2022.⁵² HSI's work is almost always heavily involved with transnational crime, involving violations of visas and other immigration-related offenses. HSI is also responsible for investigating the cartels that smuggle narcotics and people into the United States, and much of their work on transnational crime is devoted to this particular menace.

State Criminal Alien Assistance Program (SCAAP)

\$234,000,000

The State Criminal Alien Assistance Program (SCAAP) provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating criminal illegal aliens who have at least one felony or two misdemeanor convictions for violations of state or local law, and who are incarcerated for at least 4 consecutive days during the reporting period.⁵³ This program tends to cover only a minute percentage (typically less than one percent) of the full cost of incarceration, and the rest are absorbed by state and local jurisdictions. Appropriations for this program were \$244,000,000 in FY 2021 and \$234,000,000 in FY 2022.⁵⁴ It should be noted that the Biden administration formally proposed removing all funding for this program over the past two fiscal years, which would have removed even the most meager federal compensation received for the immense cost that criminal illegal aliens impose on the states who incarcerate them. So far, Congress has rejected these proposals.

Executive Office for Immigration Review (EOIR)

\$622,809,000

The Executive Office for Immigration Review (EOIR) is a DOJ agency that includes the U.S. Immigration Court, the Board of Immigration Appeals (BIA) and the Office of the Chief Administrative Hearing Officer (OCAHO). The U.S. Immigration Court hears deportation cases lodged against both lawfully admitted and illegal aliens. The BIA hears appeals of U.S. Immigration Court Decisions. The OCAHO hears cases involving allegations of knowingly hiring illegal aliens and failure to comply with employment verification requirements. The vast majority of the work performed by EOIR is handled by the U.S. Immigration Court, which is faced a case backlog amounting to more than 1.9 million active cases at the end of FY 2022.⁵⁵

Based on data available through Syracuse University's Transactional Records Access Clearinghouse (TRAC), which analyzes deportation cases by the type of charge levied against the respondent, roughly 70 percent of new cases are based upon entry without inspection, terrorism, crime, and other violations associated with illegal alien status.⁵⁶ This is a significant increase in cases involving illegal aliens, as opposed to visa violations, from previous years and coincides with the rapid collapse of border security. 31.1 percent of new immigration cases are categorized as "other immigration charge", and even an extremely generous assumption that these primarily represent overstays or violations of valid visas still leaves the percentage of new cases involving illegal aliens much higher than in previous years.

EOIR's budget was \$673 million in FY 2020, \$734 million in FY 2021, and \$891 million in FY 2022. Using the most recent appropriation, which largely coincides with the time period the TRAC data covers, EOIR funding used on deportation cases for illegal aliens is approximately \$622,809,000. The President's Budget request for EOIR in 2023, not enacted, is \$1.355 billion, but the vast majority of this increase is split between dubious "legal access initiatives" to fund lawyers for illegal aliens or the opening of more immigration courts to process cases faster; if enacted, this cost could nearly double in the near future.

Alien Minors

\$8,006,000,000

The number of unaccompanied minors entering the United States continues to surge in an unprecedented manner, as many would-be illegal aliens are aware that an unaccompanied minor is a potential anchor for future migration down the line and with smugglers acutely aware that children are given much less scrutiny. Unfortunately, these minors often suffer untold horrors as they are brought to the American border. The number of unaccompanied minors entering the United States hit a record 122,000 in FY 2021 and then again with 130,000 in FY 2022.⁵⁷

The Department of Health and Human Services (HHS) Administration for Children and Families (ACF) is tasked with providing for these minors until they are connected with family residing in the United States, placed in foster care, or repatriated. As the scale of UAM entries grows, so do the costs associated with caring for them. These costs have increased on a shocking scale in recent years, with the FY 2020 budget of just over \$1.3 billion increasing to over \$3.6 billion (after a significant transfer of COVID relief funding) in FY 2021 and a staggering \$8 billion in total spending in FY 2022.⁵⁸ This amounts to the spending of \$61,584 per unaccompanied minor entering the shelter system in FY 2022, nearly tripling the per capita costs from our previous comprehensive cost study for a number of unaccompanied alien minors almost twice as large.

NOTE: The financial impact of UAMs on the nation's public school systems is included, as a separate cost, in the sections of this report pertaining to education.

Byrne Grants

\$4,180,000

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions. The JAG Program provides state and local governments with funding to support law enforcement, prosecution, court, and corrections programs. Funding for this program was \$92,888,141 in FY 2022, a significant decrease from the amounts routinely allocated in years before FY 2021.⁵⁹

The federal government provides SCAAP funding to states that compensates for the roughly 4.5 percent of the national total of state and local prisoners who are illegal aliens. Since the majority of illegal aliens held in state and local custody are prosecuted in state and local courts, this is a good measure for estimating the share of Byrne grants attributable to the arrest, prosecution, and incarceration of illegal aliens. 4.5 percent of the FY 2022 allocation is just over \$4 million.

DOD Funding for National Guard

\$191,625,000

In order to handle the border crisis, the U.S. Department of Defense continues to keep around 2,500 National Guard members from states across the country deployed to the U.S.-Mexico border to assist the

U.S. Border Patrol in support missions.⁶⁰ States have committed varying numbers of troops and other means of support, like aviation assets, with funding for the operation provided by the Department of Defense.

FAIR estimates the cost of these deployments based on publicly available figures relating to the pay of state National Guard units deployed at the border. At the prevailing rate for actively deployed National Guard, this operation (which has been ongoing for multiple years) is estimated to currently cost just over \$190 million annually.

Criminal Gangs

In its 2009 National Gang Threat Assessment, the FBI concluded that criminal street gangs, whose members are often illegal aliens, are responsible for the vast majority of violent crimes in the United States, as well as the distribution and trafficking of most illegal drugs.⁶¹ In the intervening years, the presence of illegal alien gangs, especially from Central America, has only increased. Established gangs like MS-13, its rival the 18th Street Gang, the Latin Kings, and growing numbers of new Dominican, Middle Eastern, and Somali gangs are responsible for a broad range of both local and transnational crimes, including: theft, extortion, murder, drug trafficking, human/sex trafficking and gun running.

Because it is impossible to truly quantify the comprehensive cost of gangs to American taxpayers, FAIR does not included an estimate of those expenditures. Nevertheless, it is important to remember that crimes committed by transnational gangs represent a significant portion of the costs imposed on U.S. taxpayers by lax immigration enforcement and irresponsible immigration policies.

Total Federal Justice Enforcement Expenditures

Federal Incarceration	\$1,670,374,000
Enforcement and Removal Operations (ERO)	\$4,118,902,000
Customs and Border Protection (CBP)	\$8,565,574,000
Other ICE Operations	\$1,715,897,000
State Criminal Alien Assistance Program (SCAAP)	\$234,000,000
Executive Office for Immigration Review (EOIR)	\$622,809,000
Alien Minors	\$8,006,000,000
Byrne Grants	\$4,180,000
DOD National Guard Deployment	\$191,625,000
Total	\$25,129,361,000



Federal Welfare Costs

Welfare Costs

This section details the profound impact that illegal immigration exerts on programs intended to provide financial aid or services exclusively for low-income Americans. Most, but not all, illegal aliens are theoretically ineligible for the welfare programs covered in this section. However, virtually all federal welfare programs available to the children of U.S. citizens are also available to U.S.-born children of illegal aliens because those children are, under the current constitutional interpretation, U.S. citizens. We include this information because the costs of providing benefits to this cohort are directly attributable to their parents' illegal presence in the United States.

USDA Food and Nutrition Service

\$1,550,108,000

The U.S. Department of Agriculture's (USDA) Food and Nutrition Service (FNS) operates the National School Lunch Program (NSLP), the School Breakfast Program (SBP), Special Milk Program (SMP), and other food programs that provide subsidized meals to school children. These programs operate in approximately 100,000 public and non-profit private schools and residential child care institutions. They furnish low-cost or free breakfast, lunch, and snacks to millions of children each school day. However, these schools make no effort to identify whether the students using these programs are legally in the United States.

There are approximately 30 million children receiving meals from these programs.⁶² According to research conducted by CIS, approximately 48 percent of illegal alien households received some form of benefit under the school lunch program.⁶³ FAIR estimates that there are roughly 5.1 million students who are the children of illegal aliens.⁶⁴

Based on these totals, approximately 2.45 million children of illegal aliens are receiving this benefit, which is a conservative figure given the typically low incomes of illegal alien households. The funding for school meal programs, including breakfasts, lunch, snacks and milk, cost nearly \$18.8 billion in FY 2019, the last year before the pandemic and the subsequent two-year period (2020-2022) of free school lunches for all students (which was rolled back with the 2022-2023 school year).⁶⁵ To estimate the impact of illegal immigration on school nutrition programs, we take our estimate of the number of illegal alien children and compare it to the total number of participants in school nutrition programs. This comparison indicates that almost 8.3 percent of children receiving meals are part of an illegal alien household. Therefore, we conclude that \$1.55 billion of the federal funds expended annually on the above USDA FNS programs goes to the children of illegal aliens.

Supplemental Nutrition Assistance Program (SNAP) \$5,757,872,000

Colloquially referred to as “Food Stamps,” the Supplemental Nutrition Assistance Program (SNAP) is also administered by USDA-FNS. Most illegal aliens are ineligible for SNAP, but their U.S.-born children are eligible. In certain limited circumstances, elderly and disabled citizens residing with illegal alien relatives may also qualify for SNAP benefits, but they account for only a very small percentage of use by illegal alien households.

Research conducted by CIS found that approximately 31 percent of illegal alien households with children benefit from SNAP.⁶⁶ The estimated total number of American households headed by an illegal alien is approximately 6.7 million, of which 2.7 million contain at least one child.⁶⁷ This would indicate that around 825,000 illegal alien households draw benefits from SNAP.

Given that the average illegal alien household with children has 2.5 children, almost 2.1 million children of illegal aliens are likely to draw SNAP benefits. Data from the USDA indicates that the average monthly benefit per participant in FY 2022 was \$232.72, or \$2,793 per year.⁶⁸ Accordingly, the total estimated cost to the American taxpayer of providing SNAP to the children of illegal aliens is almost \$5.8 billion.

Women, Infants, and Children (WIC) \$999,961,000

The Special Supplemental Nutrition Program for Women, Infants, and Children, commonly known as “WIC”, provides federal grants to states for supplemental foods, healthcare referrals, and nutrition education for low-income, pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to age five who are found to be at nutritional risk.

The WIC program is primarily funded through two separate federal grants: a food grant, and the Nutrition Services and Administration grant. In FY 2022, the food grant was approximately \$4.7 billion and the Nutrition Services grant approximately \$2.2 billion. The total grant allocation was \$6,855,458,974.⁶⁹

Eligibility for WIC is based on income. Currently, those earning between 100 percent and 185 percent of the FPL inclusive qualify. According to the U.S. Department of Agriculture, in FY 2021 WIC served an estimated 43 percent of all infants in the United States.⁷⁰ WIC is available to anyone in the United States who falls within a WIC eligible category, is a full-time resident of the state where he/she is applying, meets the income requirements, and is at risk for malnutrition. As a federally funded but state-administered program, each state is entitled to determine whether it will allow illegal aliens to draw WIC benefits. All fifty states have extended eligibility to illegal aliens.

A study by CIS found that approximately 35.1 percent of illegal alien households with children use the WIC program.⁷¹ Using FAIR's baseline of 6.7 million illegal alien households, this would indicate that approximately 937,000 illegal alien households draw benefits under the WIC program, equating to roughly 2.3 million individuals. In February 2022 (the most recent month of available statistics), WIC served approximately 6.2 million participants.⁷²

Based on FY 2021 data, the average annual benefit per participant is approximately \$426.96.⁷³ This means that the cost to taxpayers for providing WIC to illegal aliens is approximately \$1 billion.

Temporary Assistance for Needy Families (TANF) \$1,430,527,000

The Temporary Assistance for Needy Families (TANF) program is the current successor to the former Aid to Families with Dependent Children program. TANF was created to help needy families achieve self-sufficiency by providing temporary cash assistance to supplement their earned income. In order to qualify, applicants must be either pregnant or responsible for a child under 19 years of age, meet income requirements, and be unemployed or underemployed.⁷⁴

As with SNAP, most illegal aliens are theoretically barred from using TANF. However, illegal alien families that have U.S.-born children may still obtain significant financial assistance via this program. Certain TANF benefits are also available to the U.S. citizen children of illegal aliens who are being cared for by grandparents, foster parents, aunts, and uncles. These are referred to as "child-only" applications.

Despite TANF eligibility provisions requiring that applicants be working, seeking work, or training for employment, neither income earned by parents nor caregiver resources are considered when a child-only TANF case is processed.⁷⁵ Therefore, virtually all U.S. citizen children of illegal aliens may be eligible for TANF, under the right circumstances, and the costs for providing TANF to the U.S. citizen children of illegal aliens are borne entirely by the U.S. taxpayer.

There were 1,479,103 child recipients of TANF benefits as of June 2022, according to the DHHS's Office of Family Assistance (OFA).⁷⁶

In FY 2021, according to DHHS OFA, federal spending on TANF amounted to about \$15.1 billion (TANF funding is not adjusted for inflation or other circumstances, so funding levels have not changed significantly since the program's creation by the PRWORA of 1996).⁷⁷ Based on CIS data, FAIR estimates that U.S. citizen children of illegal aliens accounted for almost 9.4 percent of the TANF caseload in FY 2022.⁷⁸ Using this percentage, the total cost for providing TANF benefits to the U.S.-born children of illegal aliens comes out to approximately \$1.43 billion.

Child Care and Development Fund (CCDF)

\$911,307,000

The U.S. Department of Health and Human Services' Child Care and Development Fund (CCDF) programs are an additional source of welfare benefits that are available to U.S.-born children of illegal aliens, and some illegal alien children through the Head Start and Early Head Start programs. The CCDF program is overwhelmingly federally funded, but is matched in part by state funding.

Pursuant to the Child Care and Development Block Grant Act of 2014, the program matches and expands upon state funds spent on programs providing affordable child-care services to low-income families who work, are training for work, attending school, or whose children receive government protective services.⁷⁹

Assistance is provided in the form of either a contracted childcare program or a voucher that may be used to access care from any provider that meets state requirements. Eligibility requirements for these programs vary widely among states

Most illegal aliens are not eligible for regulations, the recipient child is co beneficiary of CCDF childcare programs are awarded based on the immigrant status of the parents. As a result, many illegal aliens receive subsidized childcare

In FY 2022, \$9.65 billion federal funds were allocated to the program. While COVID-19 served as a justification to spend almost \$50 billion in additional CCDF funding (a part of which was spent on the children of illegal aliens), the program does not include this spending spree in our calculations.



reason is because there is no clear indication at this moment that this spending will be permanent (in the case of these funding streams, the deadlines for obligating the money have either expired, or will expire in 2023).⁸¹

Since the child is considered the primary beneficiary of CCDF programs, HHS appears to collect little information on the immigration status of the parents of the recipient children. Therefore, we must estimate the childcare expenses for illegal aliens paid out under CCDF programs using the TANF data, for which we estimated that 9.4 percent of the caseload consists of the children of illegal aliens. We do this because the demographics of children from illegal alien households who are eligible for CCDF are very similar to the population that will typically seek child-only TANF benefits and the qualifications for each program set by law cover very similar income groups. While TANF income thresholds are set at the state level, CCDF income eligibility is based on the FPL and state median incomes and tends to have higher thresholds in general; hence, our method of using TANF thresholds may result in a slight underestimation of illegal alien families collecting CCDF benefits. However, it provides the most accurate approximation possible with limited data available.

Applying this proportion to federal CCDF expenditures (the state share is discussed in the state welfare programs section), this works out to about \$911 million spent on children with at least one illegal alien parent.⁸²

Supplemental Security Income (SSI)	\$600,350,000
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The Supplemental Security Income (SSI) program applies to some U.S.-born children of illegal aliens if they have a “medically determinable physical or mental impairment which can be expected to result in death, or which has lasted or can be expected to last for at least 12 months in a row ... provided your impairment keeps you from engaging in substantial gainful activity for at least 12 months in a row.”⁸³

According to the existing research, it appears that only around 1.1 percent of illegal alien households participate in this program.⁸⁴ That would correspond to 73,400 households. If we err on the side of caution and assume that only one person in each of these households is an SSI recipient, and multiplying them by an inflation-adjusted average yearly benefit of \$7,363, federal SSI payments attributable to illegal immigration would amount to a minimum of \$541 million annually. Federally-administered state supplements add an additional \$60 million to this amount.⁸⁵

Public Housing	\$334,442,000
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When a household is eligible for public housing benefits but one or more members are illegal aliens,

they are eligible for prorated or reduced federal housing benefits, depending on the specific program.⁸⁶ However, housing benefit fraud is common and illegal aliens often live covertly with citizen and lawfully present relatives who are receiving housing benefits.

Currently there is only fragmented data on the use of housing benefits by families with illegal alien members. According to a Congressional Research Service (CRS) report, mixed-status families make up approximately 0.5% of all assisted households.⁸⁷ In addition, the report reveals that this percentage totals more than 25,000 mixed status families consisting of more than 108,000 people, including roughly 55,000 children who were the U.S.-born children of illegal aliens.⁸⁸ At a minimum, therefore, the eligible children of illegal aliens cost taxpayers approximately \$334 million annually, based on the average benefit received per year.⁸⁹ Barring additional information regarding the immigration status of the other households covered by this program, it's impossible to reliably estimate the entire cost of this program.

Total Federal Welfare Programs

Meals in Schools	\$1,550,108,000
Supplemental Nutrition Assistance Program (SNAP)	\$5,757,872,000
Women, Infants, and Children (WIC)	\$999,961,000
Temporary Assistance for Needy Families (TANF)	\$1,430,527,000
Child Care and Development Fund (CCDF)	\$911,307,000
Supplemental Security Income (SSI)	\$600,350,000
Public Housing	\$334,442,000
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Total	\$11,584,567,000



Total Federal Expenditures

Overall Federal Fiscal Costs before revenue

The approximately \$66.4 billion in federal expenditures attributable to illegal aliens is staggering, and constitutes an increase of 45 percent since 2017. This amounts to roughly \$3,187 per illegal alien, per year.

FAIR believes that every concerned American citizen should be asking our government why, in a time of increasing costs and shrinking resources, it is spending such large amounts of money on individuals who are not authorized to be in the United States. This is an especially important question in view of the fact that the taxes paid by illegal aliens offset very little of the enormous costs stemming from their presence in the country.

Total Overall Federal Expenditures

Federal Educational Expenditures	\$6,602,699,000
Federal Medical Expenditures	\$25,129,361,000
Federal Law Enforcement	\$23,132,475,000
Federal Welfare Programs	\$11,584,567,000
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Total Federal Expenditures	\$66,449,136,000



Federal Tax Payments and Credits

Taxes collected from illegal aliens help offset fiscal outlays and therefore must be included in any examination of the cost of illegal immigration. However, illegal alien advocates frequently cite the alleged large tax payments made by illegal aliens as a justification for their unlawful presence and as a reason itself to grant them amnesty. That argument is nothing more than a red herring. Such claims rarely look at the costs associated with illegal immigration, and instead only focus on the amounts contributed to the economy and paid in taxes.

Most studies grossly overestimate both the taxes actually collected from illegal aliens and, more importantly, the net amount of taxes actually paid by them (i.e., the amount of money collected from illegal aliens and ultimately kept by the federal government). A predominant reason for this is that in recent years, the United States has focused on apprehending and removing almost solely criminal aliens (and since President Biden took office, many criminal aliens are now protected from deportation as well). Because of this, the majority of illegal aliens seeking employment in the United States now live in an environment where they have little fear of deportation even if discovered.

This increasingly comfortable environment has created an environment where most working illegal aliens are both able and willing to not only work in the above ground economy, but even file tax returns. Because the vast majority of illegal aliens hold low-paying jobs, most who file tax returns actually wind up receiving a complete refund of all taxes paid. Many will receive credits in excess of their annual

deductions. As a result, it's often beneficial for illegal aliens to file tax returns with the IRS, knowing that it will not subject them to removal, and will likely result in a monetary profit. Indeed, the IRS has stated in the past that they have no intention of reporting known or suspected illegal aliens who file tax returns.⁹⁰

Government data support this argument. According to the latest information available from the Congressional Budget Office (CBO) from 2019:⁹¹

- The lowest-income households in the United States (the bottom 20 percent) had an average income of about \$20,000 before taxes and transfers and paid an average net federal income tax rate of -11.1 percent.
- The second-lowest 20 percent had an average household income of about \$50,000 before taxes and transfers and paid a net federal income tax rate of -1.7 percent.

In 2017, FAIR estimated that the average household headed by an illegal alien earned approximately \$36,000 per year. Since that time, the overall average household income for the country has increased by approximately 13.2 percent.⁹² Using the same methodology as before and assuming, generously, that the income for illegal aliens has increased at the same rate as the overall average, this cohort now earns approximately \$40,800 annually.

FAIR estimates that there are approximately 6,673,000 households with an illegally present head of household.⁹³ This figure was derived from previous research from FAIR and organizations such as the Heritage Foundation and Pew Research, then applied to our most recent estimate of the illegal alien population.^{94,95}

We therefore estimate that illegal aliens in the United States earn a gross income of approximately \$272,258,400,000 annually. Therefore, despite making up approximately 4.7 percent of the entire U.S. population, illegal aliens only contribute approximately 1.3 percent of the gross personal income earned in the country.⁹⁶

Income Tax

Income Tax Paid

\$4,146,850,000

To determine how many illegal aliens earn an income significant enough to require that they pay more in income taxes than they receive in benefits, several factors must be considered. First: many illegal aliens who are paid in cash and work under the table avoid paying taxes regardless of what their income level happens to be. Second: there is only a small population of visa overstayers and illegal entrants who possess the specialized skills sufficient to earn an income which results in a net tax payment greater

than the amount they receive in benefits. Finally: those illegal aliens who are neither “white collar” nor “highly-skilled” business visa overstayers are unlikely to be paying more in taxes than they receive in benefits. As mentioned before, the first and third cohorts comprise the vast majority of illegal alien households.

However, a small number of illegal aliens may work jobs that earn enough to necessitate a net payment of income tax payments. Many of these workers with high earning potential use fraudulent means to obtain employment. These include using stolen or fake Social Security Numbers (SSNs), overstaying their high-earning occupational visa, or working as “subcontractors,” a loophole which allows employers in many states to avoid verifying their employment eligibility. A small number of illegal aliens who hold work authorization (especially college-educated DACA students and TPS holders) will also fall into this category.

Based on data from the Bureau of Labor Statistics (BLS), the American Community Survey (ACS), and previous FAIR estimates, the aboveground illegal alien labor force participation rate has likely decreased about 1 percent since our last report in 2017.⁹⁷ The main reasons for this decrease are the lingering impacts of the COVID-19 pandemic along with a more generous welfare environment at both the federal and state levels. The unemployment rate among the foreign-born has also increased by approximately 8 percent during this time period. Based on these factors, and adjusted to fit the current illegal alien population, we estimate that approximately 7.9 million illegal aliens are participating in the aboveground economy, with just under 7.5 million currently employed. We also estimate that an additional 2.6 million illegal aliens are participating in the underground economy and are therefore paying no federal taxes at all.⁹⁸ This indicates that illegal aliens have a slightly higher labor force participation rate than the overall foreign-born population (67.8 percent vs 64.7 percent, respectively). This makes sense as a higher proportion of illegal aliens are in single-member households, and the primary driver of illegal immigration to the United States is economic opportunity.

In FAIR’s 2017 report, we estimated that, in addition to visa overstayers who worked higher earning jobs, approximately 3 percent of the overall illegal alien workforce employed in the open economy falls within an income bracket that requires them to pay more in taxes than they receive in benefits.⁹⁹ Based on currently available data, we believe this proportion has stayed constant.¹⁰⁰ This means that approximately 414,685 illegal aliens currently fall into this category.

In order to determine the average income of those illegal aliens who pay more in taxes than they receive in credits, we assume that they earn, on average, a wage similar to that of a foreign-born worker with at least a bachelor’s degree. In 2020, that income was approximately \$71,000 for individuals (\$82,000 when adjusted for inflation).¹⁰¹ Assuming standard deductions, this makes the taxable total approximately \$69,050,¹⁰² and places the alien in the 22 percent tax bracket.¹⁰³ This means the average federal income

tax paid is approximately \$10,000 per individual (Social Security and Medicare taxes are calculated later in this section). This means that illegal aliens who pay more in income taxes than they receive in benefits are contributing approximately \$4,146,850,000.

Additional Child Tax Credit

\$5,400,000,000

Although it seems counterintuitive, large numbers of illegal aliens file tax returns. Many wish to establish a record of complying with tax laws in case a new amnesty is enacted (full payment of taxes owed was a requirement under the 1986 amnesty, and it is often listed as a requirement in recent amnesty proposals). Others want to take advantage of various benefits and credits that are available to them. One benefit is the Additional Child Tax Credit (ACTC), which is an annual lump sum paid by the U.S. Treasury to low-income filers with citizen children even if their parent does not have a SSN and has no tax liability. As the IRS explains on its website, “It [the ACTC] is a refundable credit, which means taxpayers may receive refunds even when they do not owe any tax.”⁷⁵ However, to receive the funds a tax return must be filed.

Most illegal aliens who are not using a stolen or fraudulent SSN file their tax return using an Individual Tax Identification Number (ITIN). An ITIN allows individuals who don’t qualify for a SSN to file income tax returns. The vast majority of ITIN recipients are illegal aliens according to the federal government. However, in some instances, lawfully permitted migrants who are not eligible for Social Security Numbers, or lawfully permitted migrants who are working without authorization, may apply for ITINs as well. According to the U.S. Treasury Department, there were 5.4 million active ITINs in 2021.

Per the Treasury Inspector General for Tax Administration (TIGTA), the U.S. Department of Treasury paid \$4.2 billion to 2.18 million illegal alien claimants using ITINs in 2010.¹⁰⁴ The TIGTA report

noted a very strong correlation between tax returns filed using an ITIN and the claim for the ACTC, i.e., 93 percent of all such cases. In addition, the report noted allegations that some filers for the credit were identifying children who did not have SSNs because those children lived abroad. However, the report still offers strong evidence that at least 90 percent of ITIN filers for tax credits are illegal aliens.

As part of President Biden’s \$1.9 trillion



stimulus package, the ACTC increased to \$3,600 for children under six, and \$3,000 for children between six and 18.¹⁰⁵ Additionally, the income threshold was raised to \$150,000 for families, and \$75,000 for single filers. The U.S.-born children of illegal aliens who have SSNs are allowed to take part in this benefit so long as one of their parents have an ITIN or SSN. FAIR estimates that there are nearly 2.7 million households with at least one illegal head and one child and 5.4 million active ITIN filers, nearly all of whom are believed to be illegal aliens. Furthermore, there are more than 5.3 million U.S.-born children of illegal aliens who hold SSNs.

FAIR estimates that less than 5 percent of illegal alien households make above the threshold which would disqualify them for this credit (see the federal income tax section of this report). However, we also estimate that approximately 25 percent of the illegal alien workforce participates in the underground economy, therefore paying no taxes and receiving no credits. While it's most likely that the majority of underground economy workers are single-person households without U.S.-born children, we will assume the ratio is even due to a lack of hard data. This means that illegal alien households received approximately \$13.4 billion in child tax credits in 2022 for the 2021 tax year.¹⁰⁶

However, ACTC totals reverted back to the previously set amounts for the 2022 tax year since Congress declined to extend the increased limits. So, while we estimated that illegal aliens received \$13.4 billion for the 2021 tax season, we estimate that this amount will decrease dramatically to somewhere in the area of \$5.4 billion going forward, based on the current limits set by the IRS and other restrictions.¹⁰⁷

This is the total that we use since it better represents what the amount will be in future years, barring a reinstatement of the COVID-era expansion. However, it is important to highlight the fact that illegal aliens received approximately \$8 billion in tax credits under the Biden Administration's stimulus package for tax year 2021.

Earned Income Tax Credit

\$2,987,987,000

The Earned Income Tax Credit (EITC) is a refundable tax credit available to low and moderate-income individuals who are employed. The amount paid depends on a recipient's income, marital status, and number of children. The credit increases with each additional dollar earned, until a maximum credit amount is reached. In tax year 2022, these limits ranged from \$560 to \$6,935.¹⁰⁸ The average EITC benefit in 2013 was \$2,411.¹⁰⁹

According to the IRS, a family with less than \$53,865 in earnings and two dependents would have zero tax liability and qualify for an EITC of \$5,980. Instead of paying a tax on income, that worker would receive a net profit courtesy of the American taxpayer. Based on an annual household income of approximately \$40,600 and an average household size just over three, most illegal alien households would qualify for a credit of approximately \$4,025. This is assuming, however, they were eligible for the program.

Theoretically, most illegal aliens are barred from participating in the EITC program. However, there is no provision in the relevant statutes specifically barring individuals who are unlawfully present from collecting an EITC; rather, anyone filing for an EITC is required to have a valid SSN and must be considered a “resident alien” for taxation purposes. This requirement blocks those who cannot obtain a SSN from collecting an EITC. The program is also closed to ITIN holders.¹¹⁰ However, there are certain classes of illegal aliens who are eligible for SSNs, such as parolees, TPS holders, and DACA recipients. Once these illegal aliens meet the criteria for being a “resident alien,” they may apply for and receive the EITC.¹¹¹

However, there are several major designations (along with a collection of smaller categories) that illegal aliens can obtain which would provide them a Social Security Number and work authorization within the United States. Below is a list of those categories and how many illegal aliens FAIR estimates to hold those designations:

- DACA: 594,000
- TPS: 450,000
- Qualified asylum applicants: 508,000
- Stolen identifications and fraudulent SSNs: 977,000
- Other designations offering SSNs: (at least) 440,000^{112,113}
- Total: 2,969,000

Based on FAIR’s estimates regarding household size, income, and employment participation rates, we assume that approximately 25 percent of this population will be tax filers receiving the EITC at the average credit of \$4,025. This means that illegal aliens receive just under \$3 billion in these tax credits.

Net Income Tax Payment and Credit Receipt

\$4,241,137,000

Therefore, although illegal aliens do technically pay billions in income taxes every year, they ultimately receive a far greater amount in tax credits. As our estimate details, because illegal aliens pay about \$4.1 billion in income tax and receive tax credits of \$5.4 billion (ACTC) and \$3.0 billion (EITC), the U.S. Treasury suffers a net loss of \$4.2 billion annually.

Other Taxes

Social Security and Medicare Taxes

\$19,527,768,000

Illegal aliens who work in the open economy will normally have Social Security and Medicare taxes withheld, with a matching amount paid by the employer. The standard withholding amount for workers and employers is 6.2 percent each (12.4 percent total) for Social Security and 1.45 percent (2.9 percent total) for Medicare.

A 2010 Social Security Administration (SSA) actuarial note on the impact illegal aliens have on the Social Security Trust Fund estimated that illegal aliens pay a total of \$13 billion into the Social Security trust fund annually.¹¹⁴ The report also stated that illegal alien retirees, even though nearly all are technically excluded from retirement benefits even if they hold a SSN,¹¹⁵ managed to receive approximately \$1 billion payouts every year. This makes the total net payment into the fund by illegal aliens approximately \$12 billion annually. At the time, the report indicated that the primary way in which illegal aliens obtained Social Security benefits was by using stolen/fraudulent Social Security Numbers, or through a small number of those receiving deportation deferment. Since then, with the implementation of DACA and the expanded utilization of TPS, parole and other programs that grant work authorization to illegal aliens, a much higher number are now contributing to the program.

Based on FAIR's estimate of the total earnings contributed by illegal aliens to the aboveground economy, total contributions by illegal aliens has likely increased to approximately \$16.9 billion.¹¹⁶ This figure falls closely in line with the 2010 SSA estimate when adjusted for the increase in the illegal alien population and their associated incomes since that time.

Because nearly all who pay into the Social Security Trust Fund will also pay into Medicare, and since the rate is similarly fixed, we extrapolate from our Social Security analysis to determine how much illegal aliens pay into Medicare. The Medicare deduction rate is 1.45 percent for both employees and employers, which is 23.4 percent of the Social Security deduction rate. Therefore, the total amount paid into Medicare by illegal aliens is 23.4 percent of the Social Security rate. This comes out to approximately \$3.9 billion.

Adding these figures together, we estimate that illegal aliens make approximately \$20.8 billion in Social Security and Medicare tax contributions annually. These estimates again are conservative, as we operate on the assumption that virtually all illegal aliens working in the open economy are paying social security taxes.

According to data contained within the 2010 SSA actuarial note, illegal aliens recoup approximately 7.7 percent of what they pay into the Social Security program, which means that they are likely receiving

around approximately \$1.3 billion in improper payments each year. This makes the net total paid in Social Security and Medicaid approximately \$19.5 billion.

Excise taxes

\$932,864,000

The federal government also receives revenue in the form of excise taxes on the sale of consumer goods such as fuel, tobacco, alcohol and airline tickets. Here, we include a rough estimate of receipts by the federal government from fuel, tobacco, and alcohol purchases. We do not include an estimate of excise revenue generated by illegal alien purchases of airline tickets based on the reasonable presumption that most illegal aliens engage only in very limited commercial airline travel.¹¹⁷

Fuel Taxes

The United States consumed approximately 135 billion gallons of motor gasoline in 2021, which averages out to about 592 gallons per licensed driver.¹¹⁸ We assume that the illegal alien rate of gasoline consumption is slightly lower than it is for the lawful migrant and U.S. citizen population. This presumption is based on the fact that many states do not permit illegal aliens to obtain driver's licenses. In addition, many illegal aliens fall into an income bracket which limits the ability to purchase, maintain, insure, and operate a motor vehicle at the same rate as the general public. Moreover, it is safe to assume that those illegal aliens that do drive, minimize the amount that they drive due to their unlawful status and lower average income.

It is important to note that all 50 states now allow DACA recipients, TPS holders, and several other categories of illegal aliens with deferred deportation to obtain drivers licenses.¹¹⁹ Moreover, a growing number of states are making licenses available to all illegal aliens.¹²⁰ Because of this, we assume that a greater percentage of illegal aliens are driving now than when this report was last published.

Based on these assumptions, we estimate that approximately 65 percent of adult illegal aliens drive on a regular basis,¹²¹ compared to more than 80 percent of American adults overall.¹²² This means that approximately 9 million illegal aliens drive in the United States. Furthermore, we assume that they consume, on average, approximately 70 percent as much fuel as the overall average driver, or around 414 gallons each year. With the current federal fuel tax at 18.4 cents per gallon, that means illegal aliens pay approximately \$686 million in federal fuel taxes annually.¹²³

Alcohol Taxes

We presume that illegal aliens, in general, will prefer beer or wine because it is less expensive than liquor and can generally be purchased in grocery and convenience stores. Furthermore, all individuals in the United States consume beer at a much higher rate than other alcoholic beverages. The general excise tax on beer was reduced from \$18 per barrel (31 gallons) for beer to \$16 per barrel in 2020.¹²⁴

Studies indicate that alcohol consumption varies widely among immigrant groups, but that immigrants overall tend to drink less than native-born Americans.¹²⁵ However, the vast majority of illegal aliens are Hispanic, a demographic that consumes alcohol at a rate higher than the average American.¹²⁶ Because of the offsetting variances in terms of income, nativity, and race, we simply assume that illegal aliens likely consume alcohol at a rate relatively close to the rest of the country. This amounts to approximately \$136 million in excise revenue generated by illegal alien alcohol purchases¹²⁷

Tobacco Taxes

Studies of smokers have found an incidence of smokers among the foreign-born population to be about one-third lower than the native-born population.¹²⁸ Based on this data, it can be assumed that approximately 10.5 percent of illegal alien adults are smokers. The average smoker consumes approximately 75 packs of cigarettes per year.¹²⁹ The current federal excise tax on cigarettes is \$1.01 per pack,¹³⁰ which means that illegal aliens are likely to pay approximately \$111.5 million per year.

The cumulative total federal excise tax revenue from the illegal alien population for fuel, alcohol, and cigarettes, therefore, totals approximately \$932,864,000 annually.

Net Federal Impact of Illegal Aliens

Federal Receipts from Illegal Aliens

Income Taxes	\$4,146,850,000
Social Security and Medicare Taxes	\$19,527,768,000
Excise taxes	\$932,864,000
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Total Receipts	\$24,607,482,000

Credits Given to Illegal Aliens

ACTC	\$5,400,000,000
EITC	\$2,987,987,000
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Total Credits	\$8,387,987,000

Net Federal Receipts from Illegal Aliens

Total Receipts	\$24,607,482,000
Total Credits	\$8,387,987,000
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Net Federal Receipts from Illegal Aliens	\$16,219,495,000

Net Federal Impact of Illegal Aliens

Total Federal Outlays	\$66,449,136,000
Net Federal Receipts	\$16,219,495,000
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Net Federal Fiscal Impact	\$50,229,641,000

State by State Costs of Illegal Immigration

State	# of Illegal Aliens	# of Illegal Aliens & their Kids	Adjusted COLI	Cost Per Alien to State Taxpayers	Cost Of Illegal Aliens To State Taxpayers	Cost of Illegal Aliens & their Kids to State Taxpayers
California	3,226,000	4,373,000	1.230	\$ 7,074	\$ 22,821,903,942	\$ 30,936,201,468
Texas	2,226,000	2,992,000	0.836	\$ 4,466	\$ 9,942,111,305	\$ 13,363,340,982
Florida	1,185,000	1,595,000	0.928	\$ 5,040	\$ 5,972,788,206	\$ 8,039,322,522
New York	1,081,000	1,453,000	1.212	\$ 6,846	\$ 7,400,654,942	\$ 9,947,411,314
New Jersey	697,000	937,000	1.120	\$ 5,625	\$ 3,920,584,853	\$ 5,270,571,029
Illinois	628,000	845,000	0.898	\$ 4,636	\$ 2,911,654,025	\$ 3,917,751,037
Georgia	514,000	692,000	0.832	\$ 4,386	\$ 2,254,644,675	\$ 3,035,436,022
North Carolina	488,000	657,000	0.874	\$ 4,781	\$ 2,333,226,108	\$ 3,141,249,083
Arizona	453,000	610,000	0.893	\$ 5,230	\$ 2,369,284,949	\$ 3,190,427,856
Virginia	419,000	563,000	0.940	\$ 5,038	\$ 2,110,828,714	\$ 2,836,268,654
Maryland	350,000	471,000	1.194	\$ 6,123	\$ 2,143,152,396	\$ 2,884,070,796
Washington	346,000	466,000	0.981	\$ 5,630	\$ 1,947,937,290	\$ 2,623,522,477
Nevada	293,000	395,000	0.939	\$ 5,028	\$ 1,473,177,349	\$ 1,986,024,071
Massachusetts	292,000	393,000	1.196	\$ 7,396	\$ 2,159,721,305	\$ 2,906,748,195
Colorado	278,000	374,000	1.016	\$ 5,191	\$ 1,443,024,697	\$ 1,941,335,384
Pennsylvania	251,000	338,000	0.944	\$ 4,845	\$ 1,216,181,625	\$ 1,637,726,651
Michigan	185,000	248,000	0.827	\$ 4,525	\$ 837,055,573	\$ 1,122,106,931
Oregon	181,000	243,000	1.177	\$ 6,030	\$ 1,091,347,377	\$ 1,465,179,075
Connecticut	167,000	225,000	1.194	\$ 5,694	\$ 950,901,447	\$ 1,281,154,644
Tennessee	162,000	218,000	0.829	\$ 4,456	\$ 721,798,530	\$ 971,309,133
Indiana	154,000	207,000	0.838	\$ 4,451	\$ 685,394,297	\$ 921,276,750
Minnesota	140,000	187,000	0.922	\$ 4,692	\$ 656,934,062	\$ 877,476,212
Utah	137,000	185,000	0.874	\$ 5,033	\$ 689,499,518	\$ 931,075,992
Oklahoma	136,000	183,000	0.824	\$ 4,278	\$ 581,796,674	\$ 782,858,760
Ohio	132,000	178,000	0.857	\$ 4,411	\$ 582,270,353	\$ 785,182,749
New Mexico	119,000	160,000	0.889	\$ 4,628	\$ 550,760,808	\$ 740,518,733
South Carolina	117,000	157,000	0.929	\$ 4,752	\$ 555,936,741	\$ 746,000,585
Wisconsin	111,000	150,000	0.891	\$ 4,633	\$ 514,282,563	\$ 694,976,436
Kansas	104,000	140,000	0.842	\$ 4,308	\$ 447,982,255	\$ 603,053,035
Arkansas	97,000	131,000	0.813	\$ 4,475	\$ 434,102,463	\$ 586,262,089
Louisiana	97,000	131,000	0.867	\$ 4,613	\$ 447,503,641	\$ 604,360,588
Alabama	91,000	122,000	0.838	\$ 4,298	\$ 391,086,456	\$ 524,313,710
Missouri	77,000	104,000	0.833	\$ 4,446	\$ 342,317,218	\$ 462,350,529
Kentucky	69,000	94,000	0.875	\$ 4,579	\$ 315,944,133	\$ 430,416,645
Hawaii	63,000	84,000	1.735	\$ 9,178	\$ 578,184,869	\$ 770,913,158
Idaho	62,000	83,000	0.839	\$ 4,880	\$ 302,552,823	\$ 405,030,392
Nebraska	56,000	75,000	0.868	\$ 4,495	\$ 251,721,107	\$ 337,126,482
Iowa	55,000	74,000	0.853	\$ 4,352	\$ 239,356,102	\$ 322,042,755
Rhode Island	42,000	57,000	1.139	\$ 5,487	\$ 230,445,009	\$ 312,746,797
Washington DC	38,000	51,000	1.417	\$ 7,569	\$ 287,622,055	\$ 386,019,073
Delaware	35,000	47,000	0.948	\$ 5,201	\$ 182,021,162	\$ 244,428,418
Mississippi	34,000	45,000	0.786	\$ 4,169	\$ 141,758,417	\$ 187,621,434
Alaska	15,000	21,000	1.216	\$ 6,192	\$ 92,885,562	\$ 130,039,073
New Hampshire	14,000	19,000	1.091	\$ 5,659	\$ 79,232,741	\$ 107,530,149
Maine	12,000	16,000	1.063	\$ 5,650	\$ 31,807,322	\$ 42,496,390
Vermont	10,000	13,000	1.116	\$ 5,743	\$ 32,335,129	\$ 43,201,571
South Dakota	9,000	12,000	0.926	\$ 4,742	\$ 26,695,927	\$ 35,667,276
Wyoming	8,000	10,000	0.876	\$ 4,520	\$ 25,445,858	\$ 33,997,112
Montana	8,000	10,000	0.906	\$ 5,196	\$ 29,251,625	\$ 39,081,833
North Dakota	6,000	9,000	0.918	\$ 4,806	\$ 27,057,058	\$ 36,149,768
West Virginia	6,000	9,000	0.881	\$ 4,431	\$ 24,945,830	\$ 33,329,047
App. 15,516,000		App. 20,852,000			\$85,801,109,086	\$ 115,654,701,582

*totals may vary slightly from elsewhere in this report due to rounding.

Estimated Total State Taxes Collected from Illegal Aliens: \$15,172,140,000

Total Net Cost of Illegal Immigration on States and Localities: \$100,482,561,582

Part II: State and Local Expenditures and Receipts



State Education Costs

Education

Public School Expenditures

\$70,401,000,000

FAIR recently completed a comprehensive analysis of K-12 education costs associated with mass immigration into the United States entitled: *The Elephant in the Classroom: Mass Immigration Imposing Colossal Cost and Challenges on Public Education*.¹³¹ This report also provided an estimate of the education costs associated with illegal immigration.

A significant number of the students in the United States are the children of illegal aliens. As of the 2021-2022 school year, FAIR estimates that 5.1 million public school students – roughly 6.5 percent of total U.S. enrollment – are the children of illegal aliens or are illegal aliens themselves.¹³²

Most of the children from illegal alien households are designated as having Limited English Proficiency (LEP). It is estimated that only 7 percent of illegal alien households speak English as their primary language at home. Furthermore, only 25 percent of all illegal aliens can speak English at a proficient level.¹³³ LEP students cost roughly 15 percent more to educate than non-LEP students.¹³⁴

Based on the same methodology from our comprehensive K-12 Education report, updated to account for the current illegal alien population, at least 3.8 million children of illegal aliens qualify as LEP,

costing taxpayers approximately \$58.8 billion. Additionally, the education of non-LEP children of illegal aliens costs taxpayers approximately \$16.9 billion, meaning it costs U.S. taxpayers approximately \$75.7 billion to educate the children of illegal aliens.

The vast majority of this cost falls to the states via an unfunded mandate handed down from the U.S. Supreme Court in its ruling in *Plyler v. Doe*.¹³⁵ In fact, 98.9 percent of all LEP costs, and 92.1 percent of overall education funding, are borne by state and local governments.¹³⁶ Applying both of these totals to the aforementioned totals indicate that states shell out approximately \$70.4 billion to pay for K-12 education costs associated with illegal immigration.

Post-Secondary Tuition Assistance

\$2,789,760,000

Title IV of the Higher Education Act precludes illegal aliens from receiving federal tuition grants, loans, or work assistance under the act, and requires recipients to be citizens, permanent residents, or be eligible for permanent residency.¹³⁷ In addition, a provision in the Illegal Alien Reform and Immigrant Responsibility Act of 1996 (IIRIRA) prevents states and their subdivisions from offering postsecondary education benefits, like in-state tuition, to illegal aliens on the basis of state residence if U.S. citizens residing in other states are not offered the same benefit.¹³⁸ However, largely in response to the efforts of illegal alien advocacy groups, eleven states began offering in-state tuition to illegal aliens by 2010 by arguing that illegals were charged in-state tuition on the basis of local high-school attendance and graduation rather than their state of residence. Three of those states offered scholarship assistance to students who are unlawfully present.

In the years since then, that number has increased significantly. According to the National Conference of State Legislators¹³⁹ and research into state legislation, there are now 24 states and the District of Columbia that fully allow illegal aliens to receive in-state tuition at their public universities. This means that significantly more illegal aliens are eligible for grants, state-funded scholarships and subsidized loans, driving up higher education costs for states. Several other states permit illegal aliens to receive in-state tuition only in portions of their university system or restrict in-state tuition to illegals with DACA status.

It is often the case in states with no legislation on the matter that access to in-state tuition is granted under a “don’t-ask-don’t-tell” policy, with university administrations simply declining to solicit any information on a student’s immigration status. In states that do not offer in-state tuition to illegal aliens, it is also likely that many unlawfully present students still receive in-state tuition rates because few states verify the immigration status of enrollees by using the Systematic Alien Verification for Entitlements (SAVE) database.

Several of the states that allow illegal aliens to pay in-state tuition have also extended state-funded financial aid to illegal aliens to counterbalance the ban on federal funding. Of the six most populous

states, California, Texas, New York, and Illinois allow in-state tuition and state funding for illegal alien college students. These states spend nearly \$100 million annually supporting illegal alien students with taxpayer funds, and many university administrators in California even bemoan the fact that illegal students aren't using all the aid the government provides.¹⁴⁰

An increasingly hospitable political climate and the continuation of DACA have led to the steep growth in the numbers of illegal aliens receiving post-secondary education in the United States. Community college systems are significant, but under-referenced, contributors to this growth, as the vast majority (60%) of illegal alien post-secondary students attend community colleges rather than four-year universities. Community colleges, like four-year universities, charge out-of-state tuition rates and allow students to receive state education aid, representing significant costs to the taxpayer when illegal aliens are allowed to access benefits that Americans from other states cannot.

Enrollment data for illegal aliens in public post-secondary schools is sparse, especially in states that do not explicitly bar or permit illegal aliens to receive benefits. To estimate the cost to taxpayers of granting in-state tuition to illegal aliens, FAIR first must estimate how many illegal aliens are enrolled in post-secondary education. By extrapolating from known enrollment values for illegal alien students in certain states, as well as government data on the makeup of the illegal alien population and their choices in higher education, FAIR can determine the size of the illegal alien post-secondary population and their distribution among states. This population, as well as the costs associated with it, has increased significantly since FAIR's last cost study. FAIR then estimates the cost of enrollment and aid based on population, state-level costs, and the proportions of students attending different categories of university.

Significant costs come from both the difference between in-state and out-of-state tuition and from financial aid given to illegal alien students where allowed. Because of their low average family incomes, costs of state financial aid than citizen or visa-holder students account for the majority of students who do not hold DACA still permitted to pay in-state tuition in many states. We can see the significant increases in financial aid offered to illegal alien states like New York and Illinois since the last version of this study. However, these costs are still likely to be an understatement. Even in states that do not permit in-state tuition or financial aid to illegal alien students, fraud, document theft or misuse, or simple "don't ask, don't tell" policies certainly allow at least some illegal aliens to obtain in-state benefits in those states.

The states that bear the greatest fiscal impact from their in-state tuition benefit to illegal aliens are California (\$816M), Texas



(\$459M), Florida (\$228M), New York (\$226M), and Illinois (\$134M). These states, 5 of the 6 most populous, account for two-thirds of the total cost of approximately \$2.789 billion that illegal aliens cost in in-state tuition and financial aid. All of these states have large populations of illegal aliens, and in all but Florida, state laws actively permit illegal aliens to take advantage of the financial aid the state offers on the basis of need.

Total State Educational Expenditures

K-12 Public School	\$70,401,000,000
Post-Secondary Tuition Losses/Financial Aid	\$2,879,760,000
<hr/>	
Total Educational Expenditures	\$73,280,760,000



State Medical Costs

State Medical Costs

Illegal aliens access taxpayer-supported medical assistance at the state level in several ways. First, the Emergency Medical Treatment and Labor Act (EMTALA) of 1986 requires that public hospitals provide emergency medical assistance regardless of the patient's ability to pay. Thus, low-income individuals lacking health insurance, including illegal aliens, often rely on hospital emergency rooms as a source of free or low-cost healthcare. This abuse of EMTALA leads to significant hospital operating costs, because EMTALA does not reimburse hospitals for these services.

EMTALA also requires that hospitals provide care for indigent mothers who give birth in emergency rooms regardless of their ability to pay, so many illegal aliens rely on emergency care facilities for child delivery as well. EMTALA even covers delivery costs for mothers who deliberately cross the border specifically for the purpose of accessing U.S. hospitals, adding further to the expenses imposed on healthcare providers. Tens of thousands of women come to the United States with the express intent of giving birth every year, including thousands of illegal aliens.¹⁴¹ In addition to taking advantage of better healthcare facilities, migrants engage in this "birth tourism" primarily to ensure that their child is born a U.S. citizen.¹⁴²

While hospitals near the border bear the brunt of this financial burden, states far from the Southwest

Border are feeling the strain as well. New York City provides a powerful illustration of the fiscal costs imposed on local taxpayers by furnishing free healthcare to illegal aliens:

“At an April [2016] press conference, Dr. Ram Ramu, [a New York City health official], said that caring for [illegal aliens] consumes about one-third of his \$7.6 billion annual budget. Rounding down, that means that \$2.5 billion — of which the city is picking up an increasingly large chunk every year, as state and federal aid dries up — goes toward providing health care to illegal aliens in New York.”¹⁴³

Although it’s unlawful to utilize federal funds to provide non-emergency healthcare for most illegal aliens, some states and local governments use their own funds to offer coverage to illegal alien children. For example, the “Healthy Kids” program in San Francisco covers uninsured children under the age of 19, including illegal alien children. Similarly, the “All Kids” program in Illinois covers all children under the age of 19 whose families meet program income requirements, regardless of immigration status.¹⁴⁴

Additionally, a number of states are expanding other statewide health benefits to illegal aliens. For example, California has expanded Medi-Cal to cover many illegal aliens. Washington State is slated to start offering coverage to illegal aliens in 2023.¹⁴⁵ The costs of these programs are covered later in this section.

Medicaid births \$937,863,000

States pay a matching share for all Medicaid births, as mentioned in the federal portion of this cost study. For most Medicaid expenses, this comes out to nearly 63 percent of the total cost of this program.¹⁴⁶ After subtracting costs covered by health insurance, for those illegal aliens who have it, the total reported cost of Medicaid birth for illegal aliens comes out to \$2.53 billion, with \$1.6 billion covered by the federal government. This leaves the states with a burden of \$937,863,000. (See the federal portion of this report for further details on this issue.)

Uncompensated Medical Expenses \$4,501,175,000

As noted earlier, unpaid medical expenses incurred by uninsured illegal aliens typically fall to the states. Most of these come from unpaid visits to emergency rooms. The Kaiser Family Foundation estimated that, in 2017, states paid for \$11.9 billion in total uninsured medical costs, which comes out to approximately \$14.45 billion in 2022 dollars.¹⁴⁷

Only about 47 percent of illegal aliens have health insurance, leaving about 8.2 million illegal aliens uninsured.¹⁴⁸ Many of those who do have health insurance do not have comprehensive plans, leaving them uncovered for certain ailments. In the first quarter of 2022, according to DHHS, there were about 26.4 million uninsured people in America.¹⁴⁹ Since the implementation of the ACA, illegal aliens constitute a growing share - now approximately 31 percent - of the overall uninsured population. That

indicates a total state-level expenditure of approximately \$4.5 billion for uncompensated medical expenses incurred by those illegally present.

Improper Medicaid Payments **\$4,696,983,000**

As described in the federal expenditures section, there is significant evidence of fraudulent use of Medicaid by illegal aliens. When we calculate the shared costs between states and the federal government, the amount paid by states is approximately \$4.7 billion.¹⁵⁰ (See the federal portion of this report for further commentary on this issue and an explanation of our methodology.)

Medicaid for U.S.-born Children of Illegal Aliens **\$3,162,623,000**

Sixty-three percent of the Medicaid costs for U.S.-born children of illegal aliens are shouldered by the federal government. That amounts to approximately \$5.4 billion of the total \$8.5 billion cost, leaving the states with a cost of \$3.16 billion.¹⁵¹ (See the federal portion of this report for further commentary on this issue and an explanation of our methodology.)

Medi-Cal Expansion **\$4,802,094,000**

Beginning in May 2022, California expanded access to Medi-Cal, the state's Medicaid program, to all illegal alien adults over 50. As of the end of reporting year 2022, this policy provides free state-funded medical care to more than 304,000 illegal aliens.¹⁵² This drastic change follows a significant expansion enacted in 2020 that provided full Medi-Cal coverage to illegal aliens aged 19-25, which added state-funded coverage for at least another 116,000 illegal aliens.¹⁵³ Because another (at least) 142,000 income-eligible illegal alien children under 18 were already included in the Medi-Cal system,¹⁵⁴ California effectively provides healthcare to all illegal aliens under 26 or over 49.

This additional coverage represents a significant burden on the state's finances, reflecting especially high demands that older illegal aliens place on the healthcare system.¹⁵⁵ After accounting for average Medi-Cal expenditures and estimates of the proportion of California's population with a disability,¹⁵⁶ the total spending on the expansion for illegal aliens over 50 in California accounts for nearly \$3.7 billion. The previous expansion of Medi-Cal to illegal alien adults aged 19-25 added around \$750 million, while existing Medi-Cal spending on illegal immigrant minors totals around \$360 million.

It must be noted that the government of California, led by Governor Gavin Newsom, has proposed an expansion of Medi-Cal coverage to all income-eligible illegal aliens beginning after January 1, 2024. The government of California itself estimates that this expansion would cost approximately \$819 million to enact, and reach a full annual expenditure of \$2.7 billion in the future.¹⁵⁷ If enacted, this total would be in addition to the current costs. Because federal aid matching funds cannot be spent on programs that only benefit illegal aliens, California taxpayers are footing this entire bill, and will be on the hook for all future expansions of the program.

Other State Programs

\$526,098,000

Like California, other states have expanded various health insurance coverage to illegal aliens to varying degrees. Generally, this coverage is restricted to children or pre- and postpartum women. However, Illinois has taken after California in progressively expanding state-funded coverage to older illegal aliens, with any illegal alien over the age of 42 now able to enroll in state-funded care in addition to all minors. State statistics on the expansion program¹⁵⁸ indicate that total annual spending on these covered populations clocks in at just over \$460 million.

As of mid-2022, the state of Oregon has also aggressively expanded state-funded Medicaid coverage to illegal aliens. Oregon's Cover All Kids program funds medical services for illegal alien children under 19, at a conservatively estimated annual cost of around \$15.2 million based on state data,¹⁵⁹ and the state legislature has authorized \$50 million in annual spending on health coverage for illegal alien adults.¹⁶⁰ Several other states like Vermont, Rhode Island, and Maine have established programs that provide health insurance to illegal aliens under 19, although due to the small population size of these states and the difficulty of finding concrete data the costs can be hard to estimate. Nevertheless, these states do incur costs in the millions of dollars annually by operating these programs, which cannot be federally funded.

The coming years are certain to see additional billions in state taxpayer dollars spent on healthcare for illegal aliens, none of which is reimbursable by the federal government. In 2022, multiple states adopted legislation expanding illegal aliens' access to medical benefit programs at taxpayer expense. The largest of these expansions will be in New York State, where full state-funded Medicaid coverage was approved in the 2022 state budget and will be provided to illegal aliens 65 or older once implemented.¹⁶¹ Coverage for this age group, as California and Illinois have proven, is extremely expensive. With Medicaid costing over \$20,000 a year per senior enrollee in New York,¹⁶² the fiscal impact of this expansion will cost billions once fully in place. Other relatively populous states like Colorado, Connecticut, New Jersey, and Washington also have programs set to go into effect in the coming years that will expand coverage to certain categories of illegal aliens.

Additionally, some other services are made available to illegal aliens through Medicaid programs in some states. For example, in New York, Medicaid for Emergency Care is used to provide chemotherapy and radiation to uninsured or underinsured illegal aliens with cancer. In twelve states - including New



York, California, North Carolina, Colorado, Illinois, and Washington State - it can be used to provide outpatient dialysis for illegal aliens. These are medically important procedures, but they impose a heavy burden on taxpayers who are attempting to deal with the increasing costs of providing healthcare for themselves and their dependents. Since detailed information is not made available on the extent to which illegal aliens are using these programs, we cannot affix a cost estimate to them.

Total State Medical Expenditures

Medicaid births	\$937,863,000
Uncompensated Medical Expenses	\$4,501,175,000
Improper Medicaid Payouts	\$4,696,983,000
Medicaid for Citizen Children of Illegal Alien	\$3,162,623,000
Medi-Cal Expansion	\$4,802,094,000
Other State Programs	\$526,098,000
<hr/>	
Total Medical Expenditures	\$18,626,836,000



Administration of Justice

Administration of Justice

Immigration enforcement is a completely federal responsibility — at least, that is the argument of those who oppose state and local efforts to cooperate with the Department of Homeland Security. But the costly truth is that state and local governments face extensive criminal justice expenditures related to the presence of illegal aliens.

These costs may be generally grouped into three categories: (1) Policing; (2) Judicial; and (3) Corrections.

Policing costs refer to the fiscal costs of police operations in response to criminal activity by illegal aliens, especially in municipalities where gang activity and drug trafficking is rampant.

Judicial costs refer to the cost of operating the judicial system for illegal aliens. These costs include providing pre-trial detention, court hearings, and probation of illegal aliens who stand accused of criminal offenses. These costs are significantly higher than average because of the frequent need for bilingual court services programs in order to ensure that due process requirements are met.

Corrections costs incorporate the cost to states and local jurisdictions for the incarceration of illegal alien criminals. The federal government operates a program to help defray the state and local costs of incarceration of illegal aliens, SCAAP (see Part I of this report). However, that program only covers a fraction of the expenses, around 2-5% of the costs reported by jurisdictions who apply for and win

grants.¹⁶³

The National Institute of Corrections provides estimates of the cost per prisoner expended by each state.¹⁶⁴ We use this data and assign costs for each state proportionate to the size of the illegal and deportable alien population reported by the local authorities to the Bureau of Justice Statistics.¹⁶⁵ This method, to varying degrees, understates these expenditures because not all jurisdictions that imprison illegal aliens participate in the SCAAP program, meaning that many states face expenditures proportional to the size of their criminal alien population, but are not reflected in federal compensation calculations. We estimate non-participating jurisdictions' costs by their total illegal alien population and the average state correctional expenditure. Our estimations are listed below as an aggregate for all 50 states:

Policing	\$8,952,291,000
Judicial	\$3,720,668,000
Corrections	\$6,213,721,000

As is reflected in these figures, correctional expenses make up approximately a third of the total cost of illegal aliens in this section, with police expenses comprising nearly half of the total and judicial expenses making up the rest.¹⁶⁶

In FY 2020, the most current and complete year of statistics available, there was a sudden and significant decrease in the number of criminal aliens in custody due to the COVID-19 pandemic.¹⁶⁷ The number of criminal aliens in federal custody fell by 24% from 2019, and similar declines were registered in most states due to COVID-driven lenient release policies in jails and prisons across the country.¹⁶⁸ Nevertheless, an examination of state and local budgets indicate that, as a general rule, staffing costs did not appreciably decrease because of the temporary nature of the disruptions and rising personnel expenses. Costs are anticipated to increase further as the custodial population renormalizes in the coming years.

State Border Security Costs	\$3,135,000,000
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In addition to costs by ICE, CBP, the National Guard, etc., some border states also allocate money to their own law enforcement agencies to combat the public safety and national security threats associated with illegal migration. These costs are only necessary due to the federal government failing to properly secure the border. Some states even fund the deployment of National Guard Troops to support U.S. CBP.

The vast majority of state border security funding efforts come from Texas. For the past two legislative sessions, the state has reinforced its dedication to combat illegal immigration and the drug trade epidemic

until the federal government effectively addresses these issues. Arizona's approximately \$20 million border task force, one of the components of its greatly increased border funding, is also a relatively new endeavor with the same goal.

Listed below are the states that share a border with Mexico, along with the portion of their state budget that is *officially* dedicated to combating illegal immigration:

Texas: \$2.589 billion — The Texas Legislature meets every two years. Spending in the current legislative cycle is approximately \$4.5 billion, reflecting massive increases in illegal border crossings and state efforts to compensate for inadequate federal enforcement.¹⁶⁹ The Texas government has greatly increased spending on public safety in recent years and recently announced a further \$339 million increase in border funding outside the normal legislative appropriations cycle.¹⁷⁰ Meanwhile, the federal government has so far ignored Texas' requests for reimbursement of its funds spent on border security. Therefore, the entirety of these costs is being paid for by state taxpayers.

New Mexico: *Negligible* — Any state funds spent on border security are not specifically tracked or reflected in state or legislative budget records. Thus, while the New Mexico government does not appear to specifically designate any significant amount of state resources directly to border security measures, as its border is short and has difficult terrain. Of course, this doesn't mean that state and local law enforcement officers aren't expending additional effort and resources to combat the impact of illegal immigration.

Arizona: \$546 million — The Arizona government, like Texas, has drastically increased appropriations in recent years in response to a lack of federal action to secure the border. Arizona's H.B. 2317 recently appropriated \$335 million for state-level border wall construction and physical infrastructure to reinforce the border. Total budgetary expenditures on border security, including dedicated law enforcement and facilities construction, are \$546 million.¹⁷¹

California: *Negligible* — The California government does not allocate funding toward border security. On the contrary, the state government spent considerable time and expense litigating the Trump Administration's policies to improve border security. However, California benefits from being the first state in the U.S. to have its international border reinforced by wall. This effort began in the 1990s, when the Federal government constructed, and has since maintained, a wall along the busiest parts of California's border that has been extremely successful in preventing illegal immigration and drug/human trafficking directly into the state. Similar walls across the entire Southern border would quickly pay for themselves, and drastically reduce the need for states to divert tax dollars to fund border security measures.

The entirety of these costs are directly attributable to the failure of the federal government to secure the border and remove incentives that encourage illegal immigration. It’s also important to note that the failure of the federal government to secure our borders has also resulted in enormous costs not directly reflected in state and local budgets, especially in small communities located near the border.

**Total State Administration of
Justice Expenditures**

Policing	\$8,952,291,000
Judicial	\$3,720,668,000
Corrections	\$6,213,721,000
State Border	\$3,135,000,000
<hr/>	
Total	\$22,021,680,000
SCAAP funds from Federal Government	-\$210,240,000
<hr/>	
Net Justice Expenditures	\$21,811,440,000



State Welfare Programs

State Welfare Programs

As noted in the Federal portion of this study, illegal aliens (with a few exceptions) are not considered “qualified aliens” pursuant to Title IV of the PRWORA of 1996.¹⁷² Therefore, most are ineligible state and local public benefits which are supplemented by federal funds, as stated in the act. However, the fact that most medical benefits exclude the majority of illegal aliens does not mean they receive no taxpayer-supported services.

Illegal aliens with certain designations, such as TPS status or recipients of parole with a set term of at least one year, are able to lawfully collect certain state benefits, even if they are supplemented by federal funds. Moreover, PRWORA contains a loophole that undermines its own declared intent by allowing states to extend state welfare benefits “through the enactment of a State law ... which affirmatively provides for such eligibility” so long as the funding is entirely sourced at the state level.¹⁷³ This creates a pull factor at the state level and saddles state taxpayers with additional costs.

In addition to the exceptions granted under PRWORA, the U.S.-born children of illegal aliens are eligible for virtually all state programs granted to U.S. citizens, granted they meet other eligibility criteria. There are also many recipients of welfare who obtain it by fraud.

Child Care and Development Fund (CCDF)

\$171,033,000

In 2022, the state share of CCDF funding was \$1.8 billion. These costs were divided almost equally into state “Maintenance of Effort” programs and state-share matching funds.¹⁷⁴

As laid out in the federal section, FAIR estimates that 9.4 percent of the CCDF caseload consists of the children of illegal aliens. Applying that proportion to the state’s share of CCDF costs results in approximately \$171 million attributable to illegal immigration. For more details on the CCDF program and how illegal aliens utilize the program, see our analysis in the federal section of this report.

Temporary Assistance to Needy Families (TANF)

\$1,432,105,000

TANF programs vary widely by state, which presents difficulties in estimating the amount of TANF funding attributable to the presence of illegal aliens and their citizen children who qualify for the program. As previously indicated in the federal portion of this report, however, we estimate that 9.4 percent of the TANF caseload is made up of the children of illegal aliens.

Overall state spending on TANF programs amounted to about \$15.2 billion in FY 2021.¹⁷⁵ This means that approximately \$1.43 billion of those funds are the result of illegal immigration.

Meals in Schools

\$376,556,000

The federal free and reduced price meal program for K-12 students has a state matching requirement. State expenditures are much lower than they are at the federal level. To receive federal funding for subsidized school lunch programs, states must contribute matching funds equal to 30 percent of the federal funds they received in 1980. Because the matching funds requirements are frozen at 1980 levels, state required contributions are often very small relative to the federal reimbursement level.



The 1980 total cost to the federal government was approximately \$3.2 billion,¹⁷⁶ meaning that states are required to contribute at least \$960 million. As noted earlier, FAIR estimates that almost 8.3 percent of participants in this program are illegal aliens or the children of illegal aliens, meaning the total current state burden in this program would be a minimum of \$79.35 million.

The USDA has indicated in the past that federal funds and required matching state funds fall about 9 percent short of the full cost of this program, leaving the rest to local school districts.¹⁷⁷ The budgeted cost of this program was \$19.7 billion during the pre-pandemic year of 2019 (this combines the federal expenditures of \$18.8 billion and the \$960 million in required state contributions), implying a shortfall of \$1.77 billion. The illegal alien-attributable share of this is \$147 million. With the budgeted state share attributable to illegal immigration, the total comes out to slightly over \$226 million.

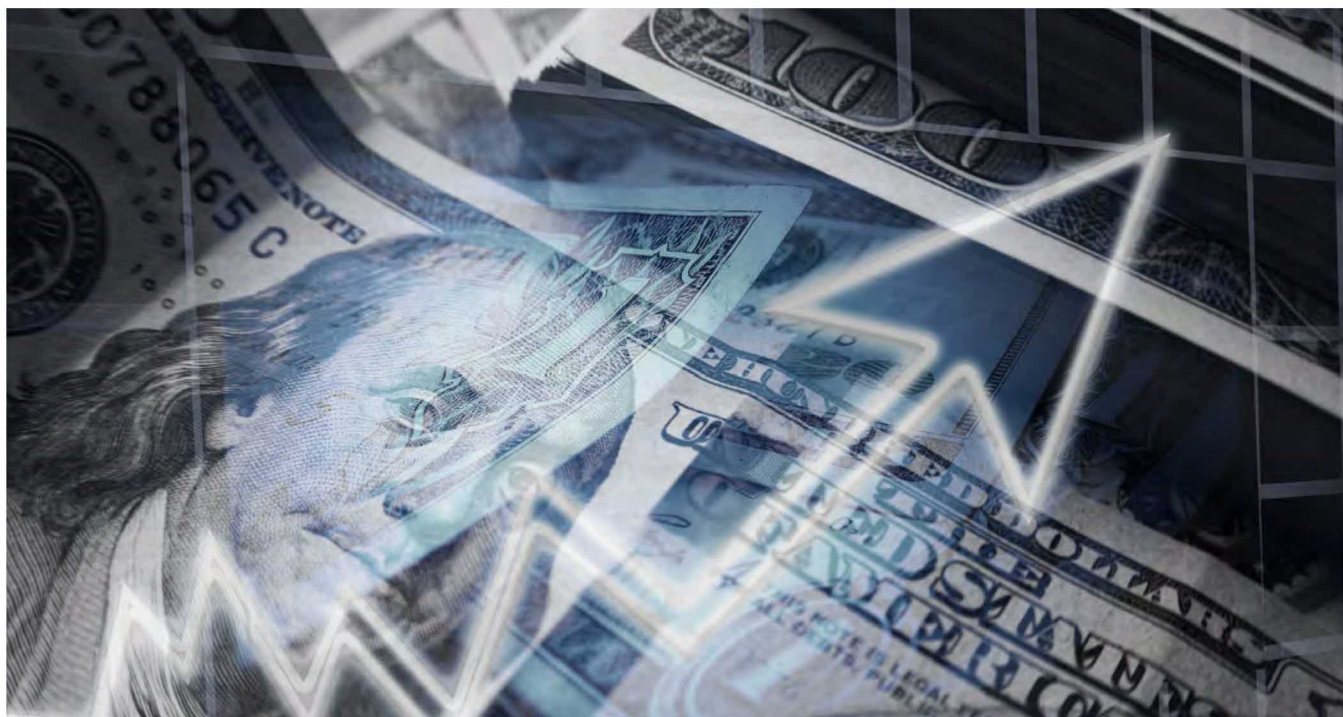
Moreover, to fully account for the costs of providing free or low-price school meals to the children of illegal aliens (both foreign and U.S.-born) we must consider recent temporary funding measures and account for more permanent spending which began during the COVID-19 pandemic. As mentioned in the federal section, from 2020 to 2022 federal spending was significantly, but temporarily, increased to allow all pupils to receive free school lunches and breakfasts. Once these benefits expired as of the 2022-2023 school year, some states decided to either extend free school meals using their own funds (e.g., Massachusetts, Nevada, Vermont) or permanently implement state-funded universal free school meals (California, Colorado, Maine).¹⁷⁸ California committed to allocating \$650 million annually to this program; Colorado's program costs \$100 million per year (and is being funded by limiting state income tax deductions for households making more than \$300,000 a year); and Maine's program is estimated to cost \$34 million annually.¹⁷⁹ FAIR estimates that the additional costs of these programs attributable to the children of illegal aliens amount to \$150 million annually.¹⁸⁰ In total, the state-level burden of illegal aliens on school meal funds amounts to \$376.6 million.

Supplemental Security Income (SSI) and other Cash-Related Welfare Programs

In addition to federal funding and federally-administered state supplements, most states also administer their own supplemental SSI payments. Delaware, the District of Columbia, Iowa, Pennsylvania, and Rhode Island pay out both Social-Security-Administration-administered state supplements as well as their own.¹⁸¹ Because these state-administered programs vary from state to state, and many of them do not release ample budgetary information, FAIR does not endeavor to estimate what proportion of these funds are attributable to illegal immigration.

Total State Welfare Expenditures

Child Care and Development Fund (CCDF)	\$171,033,000
Temporary Assistance to Needy Families (TANF)	\$1,432,105,000
Meals in Schools	\$376,556,000
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Total Welfare Expenditures	\$1,979,694,000



Total State Expenditures

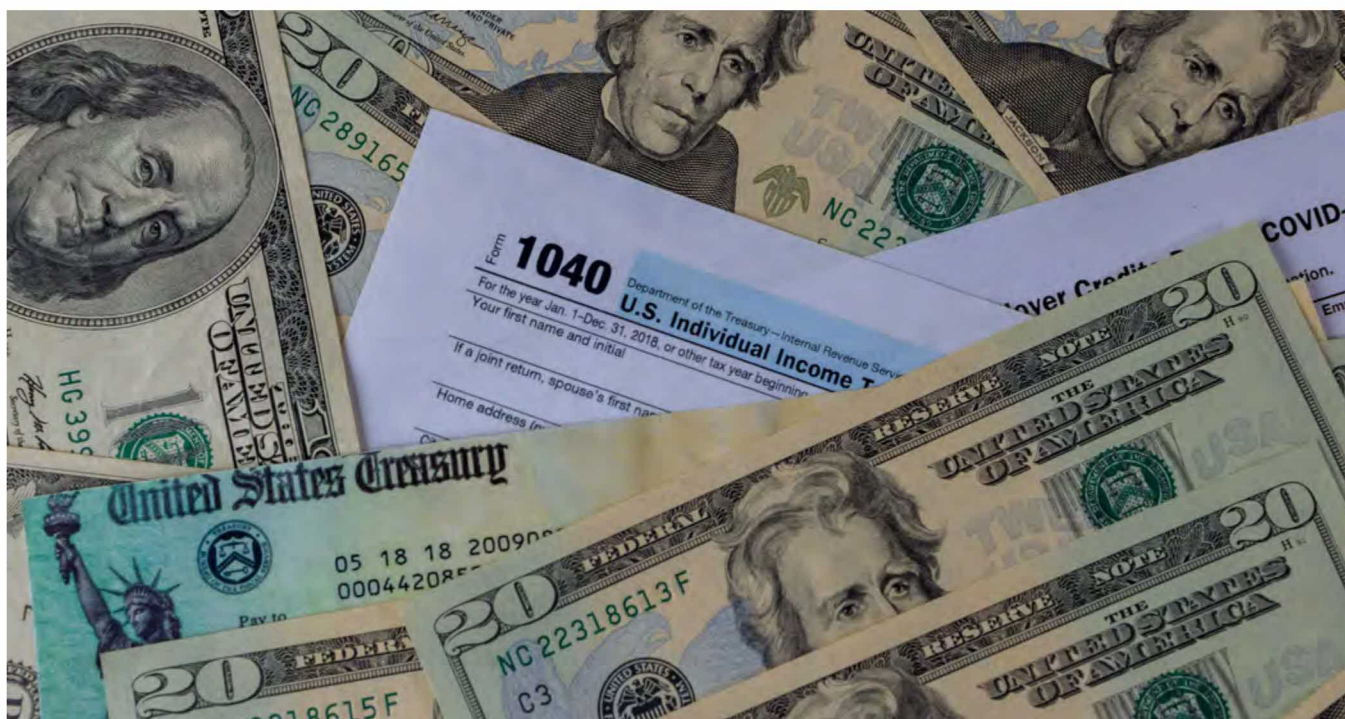
Total State Expenditures

The total fiscal burden of illegal immigration on state taxpayers has now reached a staggering \$115.6 billion, which is 30 percent more than it was in 2017. The primary reasons for this, aside from a rapid increase in the illegal alien population, are that a number of states have opted to expand access to state welfare, education, and medical programs to illegal aliens. These expansions have led to taxpayers paying tens of billions in additional funding to cover these costs.

Concerningly, as will be seen in the following section, the taxes paid by illegal aliens to state and local governments fall far short of making up for the numerous additional state-funded benefits they are receiving. Moreover, with many states set to begin offering even more benefits to illegal aliens, as mentioned previously, these costs are only expected to increase even further.

Total State and Local Expenditures

Total Education Expenditures	\$73,190,760,000
Total Medical Expenditures	\$21,811,439,000
Total Administration of Justice Costs	\$18,626,836,000
Total Welfare Expenditure	\$1,979,694,000
State and Local Total	\$115,608,729,000



State and Local Taxes Collected

State and Local Taxes Collected

As with federal costs, state and local costs are offset - to some degree - by the taxes illegal aliens pay. As noted in the Federal taxes portion of this section, proponents of illegal immigration argue that the taxes paid by illegal aliens result in a net boon to state and local coffers. However, this is a spurious argument. Evidence shows that the tax payments made by illegal aliens fall far short of covering the costs of the services they consume.

It is also important to note that calling illegal alien tax payments a net receipt is a mischaracterization. The overall wage depression inflicted on local labor markets by the presence of large numbers of illegal aliens willing to work for less than market rates has far-reaching fiscal implications that are often not quantified on average balance sheets. Low-wage workers generally access more government benefits than higher-paid employees. Furthermore, illegal aliens also tend to remit large portions of their earnings back to their home countries, and thus less money is incorporated back into local economies and less is paid in local sales and excise taxes. However, because this study looks at the fiscal impacts of illegal immigration, and tax collections are a fiscal offset, we do our best to estimate how much of the fiscal costs borne by taxpayers are reduced by taxes paid by illegal aliens.

Illegal aliens are not typical taxpayers. First, the large percentage of illegal aliens who work in the underground economy avoid paying any income tax at all. Those that do work in the formal economy often receive back more than they pay to the federal government through refundable tax credit programs. Finally, the average earnings of illegal alien households are considerably lower than earnings of legal aliens and native-born workers, thus they typically fall into the lowest tax brackets.

Disposable Income Profile of Illegal Aliens at the State and Local Level

FAIR estimates there are about 7.9 million illegal aliens participating in the aboveground economy, with approximately 7.5 million currently employed.¹⁸² As noted previously, the average household headed by an illegal alien earns approximately \$40,800 annually. However, those working in the underground economy are estimated to earn far less.

Since a significant portion of state and local taxes are levied on spending instead of income, in forms such as sales and excise taxes, it's important to recognize the negative impact of remittances on the amount of state and local taxes collected. The term "remittances" in the context of illegal immigration refers to money earned in the United States that is transferred to relatives, friends or business associates who still live abroad.¹⁸³ A 2019 FAIR study estimates that the average illegal alien remits approximately 20 percent of their gross income out of the country. This comes out to approximately \$8,160.¹⁸⁴

Remittances by both lawful and illegal aliens harm state and local governments, as they lower overall disposable income, local spending, and related revenue. Despite this lower disposable income, illegal aliens still often use state and local services that rely on spending-based taxation at rates similar to native-born citizens. These include services such as fire and police assistance, public roads, other public transportation infrastructure, and public schools.

Currently, only Oklahoma has a "remittance tax," which places a \$5 or 1 percent fee (whichever is greater) on all outgoing, out-of-state money transfers.¹⁸⁵ This tax helps the state recoup lost tax dollars stemming from income sent out of the state primarily by immigrants, including illegal aliens. It is estimated that if a similar tax were instituted nationwide, the federal and/or state governments could recoup more than \$2 billion in lost tax revenue from migrants remitting their income to other countries.¹⁸⁶

Factoring in remittances, we construct the disposable income profiles of illegal aliens by first estimating their incomes in each state. We then account for the sum of federal taxes paid versus credits received,¹⁸⁷ as well as the amount of state income taxes paid (in states that have a state income tax) versus credits received. Finally, other state taxes, such as property tax, must be considered. Based on the methodologies detailed in the Federal taxes portion of this study, as well as the forthcoming sections on specific state taxes, the average illegal alien has a disposable income of approximately \$28,144 annually.

Income Tax Receipts

\$5,728,653,000

As noted in the Federal portion of this cost study, most illegal alien households will have little income tax liability, if any at all, and millions more avoid liability by working in the “underground economy.” For the most part, this holds true at the state level as well.

Nearly 30 percent of all illegal aliens in the United States reside within the nine states without a state income tax: Texas, Florida, Nevada, Washington, Wyoming, Tennessee, New Hampshire (which only taxes dividends and interest), Alaska, and South Dakota.¹⁸⁸ In California, where approximately 21 percent of the nation’s illegal aliens reside, the tax bracket for those making the estimated wage for illegal alien households in the state is a measly 2 percent.

In addition, FAIR estimates that 25 percent of all illegal alien households work in the underground market. This means that a significant majority of illegal aliens will pay little or no state income tax.

FAIR estimates the total amount of state income taxes paid by illegal aliens by adjusting the nationwide average income per illegal alien household higher or lower for each state based on how much the average income varies from the overall national average.¹⁸⁹ We then analyze the tax rates for each of these states, minus standard deductions, to determine the effective average tax bracket for illegal alien households in each state.¹⁹⁰ After using this data to determine the average amount paid per household, we multiply that number by the estimated total number of tax-paying illegal alien households employed in the aboveground economy.¹⁹¹ Nationwide, that total comes out to approximately \$5.7 billion.

Property Tax Receipts

\$3,152,993,000

Families who own residences are subject to property taxes. Individuals living in rental property do not pay property taxes directly, although their monthly rent is likely calculated to subsidize a portion of their landlord’s property taxes.

For states that host the largest number of illegal aliens, property taxes hover right under the 1 percent mark. In addition, in many states like Texas and Florida, property can be purchased at prices considerably lower than the national average.

Of course, illegal alien households are far less likely to be homeowners than U.S. citizens. According to the Pew Research Center, illegal alien households are half as likely to own property as native-born households.¹⁹² Based on data from the 2020 ACS, approximately 70 percent of all households owned their own property. This means that, most likely, about 35 percent of illegal alien households own property.¹⁹³ According to the Wells Fargo Home Affordability Calculator,¹⁹⁴ an illegal alien household making the average wage in a city with an average cost of living index would be able to afford a residence costing

no more than \$150,000. Using this as the mean home value and an average annual property tax of 0.90 percent, it can be estimated that illegal aliens pay approximately \$3.2 billion annually in property taxes.

State Fuel Taxes

\$1,440,000,000

The average state fuel tax for the United States comes out to 38.69 cents per gallon, according to the American Petroleum Institute.¹⁹⁵ Average fuel taxes have remained significantly more stable than the national gas price average, which currently fluctuates around \$3 per gallon, excluding a significant drop during much of 2020 due to the COVID-19 pandemic. The overall average price for unleaded gasoline at the end of 2022 was approximately \$3.20 per gallon.¹⁹⁶ As noted earlier in this report, the average American purchased approximately 592 gallons of gasoline in 2021, and we estimate that the average illegal alien purchased approximately 414 gallons under the assumption that they drive somewhat less on average than U.S. citizens and lawfully present migrants.

Based on these calculations, the average illegal alien driver spends somewhere around \$1,325 annually on fuel, \$160 of which would go to state-level fuel taxes. Based on our earlier estimate that there are about 9 million illegal alien drivers in the United States, this means that they contribute approximately \$1.4 billion in state fuel taxes. This considerable increase since our last report is due to the fact that an increasing number of illegal aliens are comfortable driving due to the significant increase in the number of states that offer driver's licenses to illegal aliens.

State Sales and Excise Tax Receipts

\$4,850,494,000

To calculate state sales and excise tax receipts, we take an alien's total disposable income, then determine what percentage of that will be spent on goods and services that are subject to the tax. We then estimate the overall average sales and excise tax rate for the average illegal alien based on their population distribution and the applicable tax rates in each state.

In almost every state, staple groceries and most other food items are exempt from sales tax. According to the USDA, the average family spent approximately 10.3 percent of their disposable personal income on groceries in 2021.¹⁹⁷ For

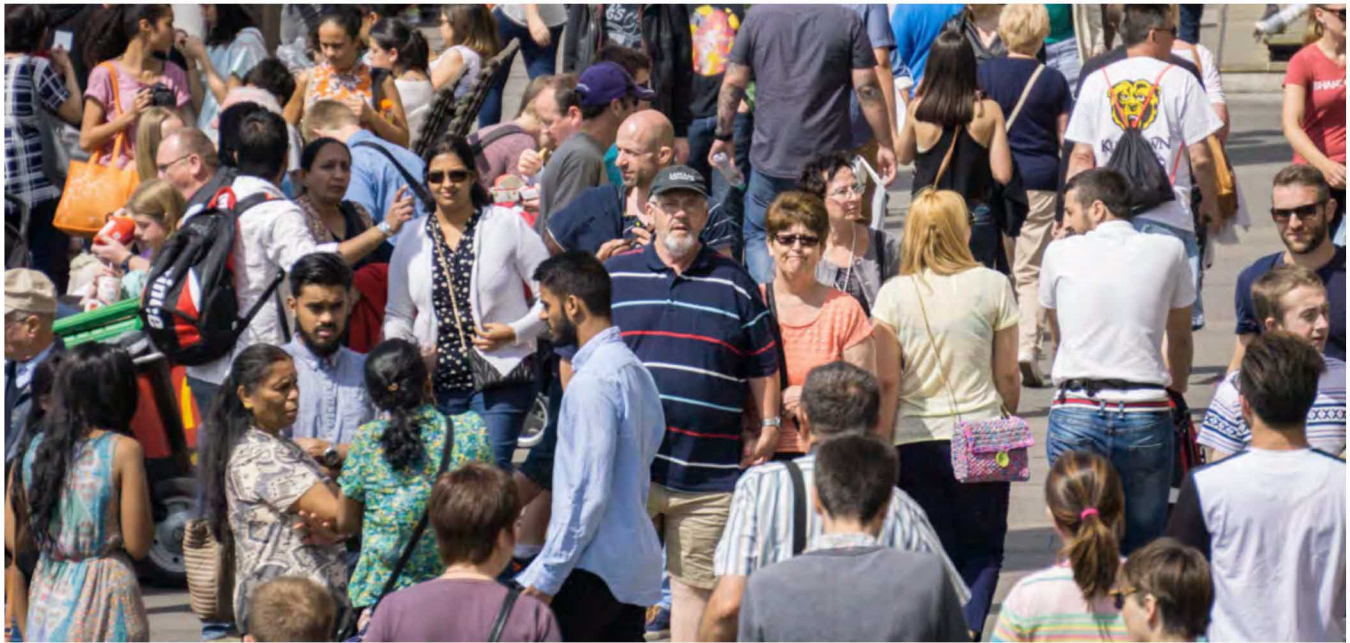


illegal alien households, this amounts to \$2,896 annually. However, due to their lower average income, it can be assumed that they likely spend a higher proportion of their income on groceries.

Fuel and housing taxes are included separately in this report, so spending on those categories should be subtracted as well. The average illegal alien spends about \$1,325 annually on fuel, as mentioned previously. The Bureau of Labor Statistics (BLS) estimates that the average American family spends 25.9 percent of their gross income on housing.¹⁹⁸ This totals approximately \$10,567 for illegal aliens. Again, since their incomes are significantly lower than the average American citizen, it's almost certain that housing costs account for a greater proportion of their budget.

There are other categories that may be exempt from sales tax in certain states. For example, many digital items such as streaming services, e-books, and digital copies of music and movies are exempt in many states. Other states exempt certain categories of clothing from sales tax. In addition, many states have sales tax holidays. It is difficult to estimate how much illegal aliens are spending on these items.

Based on the above analysis, we believe a safe assumption is that no more than 30 percent of the disposable income from illegal alien households goes toward purchasing goods and services that are subject to sales tax. So, based on the population distribution of illegal aliens,¹⁹⁹ their average income, and the corresponding tax rates in each state,²⁰⁰ we estimate that illegal aliens pay a total of \$4.9 billion annually in sales and excise tax nationwide.²⁰¹



Net State Impact of Illegal Aliens

Total State Tax Receiptss

Income Tax Receipts	\$5,728,653,000
Property Tax Receipts	\$3,152,993,000
Fuel Tax Receipts	\$1,440,000,000
Sales and Excise Tax Receipts	\$4,850,494,000
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Total State Taxes Paid	\$15,172,140,000
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The state tax payments made by illegal aliens fall far short of the costs incurred by their presence, as detailed below. These figures negate the argument that illegal aliens represent a net economic benefit to the United States.

Total State and Local Expenditures	\$115,608,729,000
Total State and Local Tax Receipts	-\$15,172,140,000
Net State and Local Fiscal Impact	\$100,436,589,000

Part III: Total Federal and State Fiscal Outlays

At the federal, state, and local levels, taxpayers shell out approximately \$182 billion to cover the costs incurred by the presence of more than 15.5 million illegal aliens, and about 5.3 million citizen children of illegal aliens. That amounts to a tax burden of approximately \$8,730 per illegal alien family member. These figures are before taxes paid by illegal aliens are factored in. The totals with taxes factored in are as follows:

Total Expenditures

Total Federal Expenditures	\$66,449,136,000
Total State and Local Expenditures	\$115,608,729,000
<hr/>	
Total National Expenditures	\$182,057,865,000

Net Tax Contributions

Net Federal Taxes Paid	\$16,219,495,000
Net State and Local Taxes Paid	\$15,172,140,000
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Total Net Tax Contributions	\$31,391,635,000

Total Cost of Illegal Immigration

Total National Expenditures	\$182,057,865,000
Minus Total Tax Contributions	\$31,391,635,000
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Total Fiscal Cost of Illegal Immigration on U.S. Taxpayers:	\$150,666,230,000
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⁶⁰ Christian Wade, “States deploy about 2,500 National Guard troops to U.S.-Mexico border”, The Center Square, https://www.thecentersquare.com/national/states-deploy-about-2-500-national-guard-troops-to-u-s--mexico-border/article_b043558a-440d-11ed-98b5-37b300fa8344.html

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⁶⁵ USDA Food and Nutrition Service, “Federal Cost of School Food Programs 1,” data as of October 14, 2022, <https://fns-prod.azureedge.us/sites/default/files/resource-files/cncost-10.pdf>

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⁶⁷ See our population and income profile of illegal aliens in the federal tax contributions section of this report for more on how we calculate this total

⁶⁸ “Supplemental Nutrition Assistance Program,” USDA Food and Nutrition Service, data as of November 10, 2022, <https://fns-prod.azureedge.us/sites/default/files/resource-files/34SNAPmonthly-11.pdf>

⁶⁹ “WIC Program Grant Levels by Fiscal Year,” USDA Food and Nutrition Service, updated October 3, 2022, <https://www.fns.usda.gov/wic/wic-program-grant-levels-fy>

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⁷² “WIC During COVID-19: Participation and Benefit Redemption Since the Onset of the Pandemic,” Food Research & Action Center, October 2022, <https://frac.org/wp-content/uploads/wic-during-covid-19-2022.pdf>

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⁷³ “WIC Program: Average Monthly Benefit Per Person,” USDA Food and Nutrition Service, data as of November 10, 2022, [https://fns-prod.azureedge.us/sites/default/files/resource-files/25wifyavgfd\\$-11.pdf](https://fns-prod.azureedge.us/sites/default/files/resource-files/25wifyavgfd$-11.pdf)

⁷⁴ Temporary Assistance for Needy Families, Benefits.gov, accessed February 6, 2023, <https://www.benefits.gov/benefit/613>

⁷⁵ “How Grandparent and Relative Caregivers Can Access Support through the TANF Program,” American Bar Association, May 1, 2014, https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/child_law_practice/vol-33/may-2014/how-grandparent-and-relative-caregivers-can--access-support-thro/

⁷⁶ “TANF: Total Number of Child Recipients,” U.S. Department of Health and Human Services Office of Family Assistance, September 26, 2022, https://www.acf.hhs.gov/sites/default/files/documents/ofa/fy2022_tanf_caseload.pdf

⁷⁷ “Federal TANF and State MOE Expenditures Summary by ACF-196R Spending Category, FY 2021,” U.S. Department of Health and Human Services Office of Family Assistance, December 13, 2022, https://www.acf.hhs.gov/sites/default/files/documents/ofa/fy2021_tanf_financial_data_table_20221201.pdf

⁷⁸ CIS estimates that 2.8 percent of illegal-alien-headed households with children received TANF. Since there are almost 2.7 million such households, this means that almost 75,000 illegal alien households/families benefited from TANF, making up 9.4 percent of all TANF-receiving families (based on a FY 2022 monthly average). See “TANF Caseload Data 2022,” U.S. Department of Health & Human Services, Office of Family Assistance, current as of January 25, 2023, <https://www.acf.hhs.gov/ofa/data/tanf-caseload-data-2022>

⁷⁹ “Child Care and Development Fund Reauthorization,” U.S. Department of Health & Human Services, Office of Child Care, May 19, 2022, <https://www.acf.hhs.gov/occ/ccdf-reauthorization>

⁸⁰ “GY 2022 CCDF Allocations (Based on Appropriations),” U.S. Department of Health & Human Services, Office of Child Care, current as of July 13, 2022, <https://www.acf.hhs.gov/occ/data/gy-2022-ccdf-allocations-based-appropriations>

This includes a permanent annual increase of \$633 million to federal mandatory and matching funds introduced as part of ARP in 2021

⁸¹ “ACF Releases Nearly \$10 Billion in COVID-19 Relief Funds to State, Territory, and Tribal CCDF Programs,” U.S. Department of Health & Human Services, February 4, 2021, <https://www.acf.hhs.gov/occ/news/acf-releases-nearly-10-billion-covid-19-relief-funds-state-territory-and-tribal-ccdf>; See also “Information Memorandum: ARP Act CCDF Discretionary Supplemental Funds,” U.S. Department of Health and Human Services, Administration for Children and Families, June 11, 2021, <https://www.acf.hhs.gov/sites/default/files/documents/occ/CCDF-ACF-IM-2021-03.pdf>

⁸² We arrived at this figure by taking 9.4 percent of the \$9.65 billion in federal CCDF 2022 funding, which is \$911 million

⁸³ “Social Security Handbook”, Social Security Administration, last revised April 19, 2017, https://www.ssa.gov/OP_Home/handbook/handbook.06/handbook-0602.html

⁸⁴ Steven A. Camarota, “Welfare Use by Legal and Illegal Immigrant Households: An Analysis of Medicaid, cash, food, and housing programs,” Center for Immigration Studies, September 9, 2015, <https://cis.org/Report/Welfare-Use-Legal-and-Illegal-Immigrant-Households>

⁸⁵ We took 1.1 percent of 6.7 million illegal alien households, which helped us arrive at the figure of 73,400 illegal alien households likely receiving SSI payments. The average monthly SSI payments, which we updated for inflation because they were valid as of December 2021, can be found online in the 2022 Social Security Administration “Annual Statistical Supplement”, available at <https://www.ssa.gov/policy/docs/statcomps/supplement/2022/7b.html>

We used a similar methodology on the federally-administered state supplements in California, Delaware, the District of Columbia, Hawaii, Iowa, Michigan, Montana, Nevada, New Jersey, Pennsylvania, Rhode Island, and Vermont, taking into account that the illegal alien population (including U.S.-born children) accounts for 32 percent of the total national illegal alien (plus children) population

⁸⁶ Maggie McCarty and Abigail F. Kolker, “Noncitizen Eligibility for Federal Housing Programs,” Congressional Research Service, July 23, 2020, <https://sgp.fas.org/crs/misc/R46462.pdf>

It should be noted that the references to HUD data revealed during the Trump administration on mixed-status families was scrubbed from the report in the process of updating in January 2023

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ This was derived by adjusting the 2017 numbers for illegal alien population growth, and then dividing that total by the total number of nationwide program beneficiaries (10.4 million). When applied to the last pre-COVID (2019) federal housing assistance spending of \$51 billion annually, we arrive at \$334 million. See “The Federal Government’s Support for Low-Income Housing Expanded During the Pandemic,” Peter G. Peterson Foundation, June 24, 2022, <https://www.pgpf.org/blog/2022/06/how-does-the-federal-government-support-housing-for-low-income-households>; “Policy Basics: Federal Rental Assistance,” Center on Budget and Policy Priorities, updated January 11, 2022, <https://www.cbpp.org/research/housing/federal-rental-assistance>

⁹⁰ Spencer Raley, “IRS Boss: Not Our Job to Report Identity Fraud Committed by Illegal Aliens”, FAIR <https://www.immigrationreform.com/2016/04/15/irs-boss-not-our-job-to-report-identity-fraud-committed-by-illegal-aliens/>

⁹¹ “Average Household Income Before Transfers and Taxes, 2019”, The Distribution of Household Income, 2019, Congressional Budget Office, https://www.cbo.gov/publication/58781#_idTextAnchor015

⁹² Jessica Semega and Melissa Kollar, “Income in the United States: 2021”, U.S. Census Bureau, <https://www.census.gov/content/dam/Census/library/publications/2022/demo/p60-276.pdf>

⁹³ FAIR estimates that 40 percent of the total households with an illegal alien head contains at least one child, as mentioned elsewhere in this report. Of those families, it is estimated that the average household size is approximately 4.5. This closely mirrors data for immigrant families contained in the U.S. Census Bureau along with those of other reputable research organizations. It is important to note that FAIR believes that the percentage of illegal households containing at least one child is lower than the overall immigrant total of 47 percent. This is because illegal alien demographics contain a higher concentration of single males, and individuals who entered the U.S. illegally but left their families in their home country

⁹⁴ Jason Richwine and Robert Rector, “The Fiscal Cost of Unlawful Immigrants and Amnesty to the U.S. Taxpayer,” The Heritage Foundation, May 6, 2013, <http://www.heritage.org/immigration/report/the-fiscal-cost-unlawful-immigrants-and-amnesty-the-us-taxpayer>

⁹⁵ Abby Budiman, “Key findings about U.S. Immigrants”, Pew Research Center, <https://www.pewresearch.org/fact-tank/2020/08/20/key-findings-about-u-s-immigrants/>

⁹⁶ “Personal Income and Outlays, December 2022”, Bureau of Economic Analysis, U.S. Department of Commerce, <https://www.bea.gov/sites/default/files/2023-01/pi1222.pdf>

⁹⁷ “Foreign-Born Workers: Labor Force Characteristics- 2021”, Bureau of Labor Statistics, U.S. Department of Commerce, <https://www.bls.gov/news.release/pdf/forbrn.pdf>

⁹⁸ In FAIR’s previous iteration of this report in 2017, we estimated that approximately 25 percent of the illegal alien workforce participated in the underground economy based on available information (largely from a 2013 report from the Social Security Administration, remittance data from World Bank, estimates from other organizations such as Pew Research and the Migration Policy Institute, and other fragmented data). While the general political environment has become more favorable to illegal aliens in the past couple of years, there is little concrete evidence to suggest that this estimate has changed.

⁹⁹ This figure was derived primarily by examining the demographics estimated to have the skills and opportunity to participate in higher earning occupational fields. We estimated this figure by tracking available information pertaining to individuals with “unmatched arrival records” in high-earning visa categories, such as B-1, H-2B, visa-waiver visitors for business, and other minor business-related visa categories, as well as visa overstay data as reported by DHS. We then adjusted these numbers to account for individuals who are believed to have left the country, and applied our estimated labor force participation and unemployment rates to the final total.

See “Fiscal Year 2020 Entry/Exit Overstay Report”, U.S. Department of Homeland Security, September 30, 2021, https://www.dhs.gov/sites/default/files/2021-12/CBP%20-%20FY%202020%20Entry%20Exit%20Overstay%20Report_0.pdf;

“DHS Tracking of Visa Overstays is Hindered by Insufficient Technology”, Office of Inspector General, U.S. Department of Homeland Security, May 1, 2017, https://www.oig.dhs.gov/sites/default/files/assets/2017/OIG-17-56-May17_0.pdf

¹⁰⁰ This assumption is based on the fact that while the overall number of DACA recipients has decreased, the total number of TPS holders and asylum applicants has increased.

¹⁰¹ “Foreign-born workers with a bachelor’s degree and higher earned more than native born in 2018”, U.S. Bureau of Labor Statistics, U.S. Department of Labor, <https://www.bls.gov/opub/ted/2019/foreign-born-workers-with-a-bachelors-degree-and-higher-earned-more-than-native-born-in-2018.htm>

¹⁰² Tina Orem, “Standard Deduction: How Much It Is in 2022-2023 and When to Take it”, NerdWallet, <https://www.nerdwallet.com/article/taxes/standard-deduction>

¹⁰³ Sabrina Parys and Tina Orem, “2022-2023 Tax Brackets and Federal Income Tax Rates”, NerdWallet, <https://www.nerdwallet.com/article/taxes/federal-income-tax-brackets>

¹⁰⁴ “Individual Taxpayer Identification Number (ITIN) Filers and the Child Tax Credit: Overview and Legislation”, Congressional Research Service, <https://crsreports.congress.gov/product/pdf/R/R44420>

¹⁰⁵ “Child Tax Credit”, Policy Issues, U.S. Department of the Treasury, <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-american-families-and-workers/child-tax-credit>

¹⁰⁶ This per-capita estimate falls in line with estimates from the Center for Immigration Studies (CIS). However, our final estimate is slightly higher than theirs as FAIR’s assessment of the illegal alien population is higher than estimates from CIS.

See Steven A. Camarota, “Illegal Aliens Get \$10.5 Billion from Child Tax Credit in Reconciliation; More than Previously Estimated,” Center for Immigration Studies, November 9, 2021, <https://cis.org/Camarota/Illegal-Immigrants-Get-105-Billion-Child-Tax-Credit-Reconciliation-More-Previously>

¹⁰⁷ “What You Need to Know about CTC, ACTC and ODC”, Internal Revenue Service, <https://www.etc.irs.gov/other-refundable-credits-toolkit/what-you-need-to-know-about-ctc-and-actc/what-you-need-to-know>

¹⁰⁸ “Earned Income and Earned Income Tax Credit (EITC) Tables, Internal Revenue Service,

<https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit/earned-income-and-earned-income-tax-credit-eitc-tables>

¹⁰⁹ “Earned Income Tax Credit Overview”, National Conference of State Legislatures, <https://www.ncsl.org/research/labor-and-employment/earned-income-tax-credits-for-working-families.aspx>

¹¹⁰ “Basic Qualifications”, Earned Income Tax Credit & Other Refundable Credits, Internal Revenue Service,

<https://www.eitc.irs.gov/tax-preparer-toolkit/frequently-asked-questions/basic-qualifications/basic-qualifications-2>

¹¹¹ “Resident Aliens,” Internal Revenue Service, <https://www.irs.gov/individuals/international-taxpayers/resident-aliens>

¹¹² Steven A. Camarota and Karen Zeigler, “Estimating Illegal Immigrant Receipt of Cash Payments from the EITC and ACTC”, Center for Immigration Studies, <https://cis.org/Report/Estimating-Illegal-Immigrant-Receipt-Cash-Payments-EITC-and-ACTC>

¹¹³ It is important to note here that the Biden administration is utilizing (and arguably misusing) various programs such as humanitarian parole to usher apprehended illegal aliens into the country while they await immigration proceedings and ultimately provide them with some form of status (even if that status does not mean they are lawfully admitted into the country), most of which include work authorization. These illegal aliens are included in this category. Specific data for these categories beyond early 2022 is scant. Therefore, as more information on the consequence of these programs become public, we can expect this designation to grow considerably.

¹¹⁴ Stephen Goss et al., “Effects of Unauthorized Immigration on the Actuarial Status of the Social Security Trust Funds”, Office of the Chief Actuary, Social Security Administration, https://www.ssa.gov/oact/NOTES/pdf_notes/note151.pdf

¹¹⁵ “Spotlight on SSI Benefits for Noncitizen-2022 Edition”, Social Security Administration, <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>

¹¹⁶ We assume that most illegal aliens working in the aboveground economy pay Social Security taxes, and that none of the illegal aliens working in the underground economy pay into the program. The same is true for our Medicare estimates.

¹¹⁷ Since the federal government continues to delay the implementation of REAL ID (which would bar most illegal aliens from flying), and an increasing number of states offer driver’s licenses to illegal aliens, it’s likely that a growing number of illegal aliens are now using air travel as a means to move around the country. However, since most illegal aliens are low-income earners, it is still unlikely that a large portion of them can regularly afford to travel by air, meaning that their tax contributions (currently 7.5 percent of the base ticket cost) would be relatively limited.

¹¹⁸ “Gasoline Explained”, U.S. Energy Information Administration, <https://www.eia.gov/energyexplained/gasoline/use-of-gasoline.php>

¹¹⁹ “Deferred Action For Childhood Arrivals- Federal Policy and Examples of State Actions”, National Conference of State Legislatures, <https://www.ncsl.org/research/immigration/deferred-action.aspx>

See also “Real ID Frequently Asked Questions for the Public”, U.S. Department of Homeland Security, <https://www.dhs.gov/archive/real-id-public-faqs>

¹²⁰ Pawel Styrna, “Drivers Licenses for Illegal Aliens: A Bad Policy That Undermines our Immigration Laws, FAIR, August 2020, <https://www.fairus.org/issue/illegal-immigration/drivers-licenses-illegal-aliens-policy-immigration>

¹²¹ This estimate is based on previous FAIR research (FAIR’s 2017 Fiscal Cost Study) as well as our previous assessment that illegal aliens are less likely to drive in states which do not allow them to obtain drivers licenses, and are less likely to drive as much U.S. citizens and lawful migrants due to their lower average income.

¹²² Megan Brennan, “83% of U.S. Adults Drive Frequently; Fewer Enjoy It a Lot”, Gallup, <https://news.gallup.com/poll/236813/adults-drive-frequently-fewer-enjoy-lot.aspx>

¹²³ Gasoline Frequently Asked Questions (FAQs), U.S. Energy Information Administration, <https://www.eia.gov/tools/faqs/faq.php?id=10&t=10>

¹²⁴ “Tax Reform- Craft Beverage Modernization Act”, Alcohol and Tobacco Tax and Trade Bureau, U.S. Department of the Treasury, <https://www.ttb.gov/alcohol/craft-beverage-modernization-and-tax-reform-cbmtra>

¹²⁵ Magdalena Szafarski, Lisa A. Cubbins, and Jun Ying, “Epidemiology of Alcohol Abuse Among U.S. Immigrant Populations,” Journal of Immigrant Minor Health vol. 13,4 (2011) 647-58, August 13, 2011, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3133815/>

¹²⁶ Race Demographics Statistics on Alcoholism & Treatment, American Addiction Centers, <https://alcohol.org/alcoholism-and-race/>

¹²⁷ Samuel Stebbins, “How much beer does your state drink? In the thirstiest, about 40 gallons a year per person”, USA Today, <https://www.usatoday.com/story/money/2019/09/14/how-much-beer-did-the-average-person-drink-in-every-state/40109241/>

¹²⁸ Jizzo R. Bosdriesz et al., “Smoking Prevalence among Migrants in the US Compared to the US-Born and the Population in Countries of Origin”, PloS one vol. 8,3 (2013), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3592805/>

¹²⁹ “The Stats on Smoking”, Swedish Health Services, <https://www.swedish.org/classes-and-resources/smoking-cessation/smoking-statistics>

¹³⁰ “Cigarette and Tobacco Taxes”, American Lung Association. <https://www.lung.org/policy-advocacy/tobacco/tobacco-taxes>

¹³¹ “The Elephant in the Classroom: Mass Immigration Imposing Colossal Cost and Challenges on Public Education”, FAIR, <https://www.fairus.org/issue/illegal-immigration/elephant-classroom-mass-immigration-imposing-colossal-cost-and-challenges>

¹³² Figure estimated by applying the share of students who are the children of illegal aliens as estimated in FAIR’s report *The Elephant in the Classroom: Mass Immigration Imposing Colossal Cost and Challenges on Public Education* to FAIR’s estimate of how much the illegal alien population has grown since timeframe covered by the report.

¹³³ “Profile of the Unauthorized Population: United States”, Migration Policy Institute, <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/US>

¹³⁴ The Elephant in the Classroom, FAIR

¹³⁵ *Plyler v. Doe*, 457 US 202 (1982), <https://www.oyez.org/cases/1981/80-1538>

¹³⁶ The Elephant in the Classroom, FAIR

¹³⁷ 20 U.S.C. § 1091(a)(5), <https://www.law.cornell.edu/uscode/text/20/1091>

¹³⁸ U.S.C. § 1623, <https://www.law.cornell.edu/uscode/text/8/1623>

¹³⁹ “Tuition Benefits for Immigrants”, National Conference of State Legislatures, <https://www.ncsl.org/immigration/tuition-benefits-for-immigrants>

¹⁴⁰ Zaidee Stavely, “Challenges remain for undocumented students to tap financial aid in California”, EdSource, <https://edsources.org/2021/challenges-remain-for-undocumented-students-to-tap-financial-aid-in-california/664079>

¹⁴¹ Pawel Styrna, “Birth Tourism,” FAIR, March 2020, <https://www.fairus.org/issue/legal-immigration/birth-tourism>.

¹⁴² Pawel Styrna, “Birthright Citizenship and Illegal Immigration,” FAIR, March 2020, <https://www.fairus.org/issue/legal-immigration/birthright-citizenship-and-illegal-immigration>

¹⁴³ Seth Barron, “Undocumented and Unmeasured: New York’s political leaders obscure the costs of illegal immigration under sentimental rhetoric,” *City Journal*, September 2, 2016, <https://www.city-journal.org/html/undocumented-and-unmeasured-14713.html>

¹⁴⁴ “Undocumented Immigrants in the United States: U.S. Health Policy and Access to

Care,” The Hastings Center, <https://undocumented.thehastingscenter.org/issuebrief/health-policy-and-access-to-care/>

¹⁴⁵ Sabrina T. Sanchez, “700,000 undocumented immigrants to be covered in California’s Medi-Cal expansion,” ABC10, June 29, 2022, <https://www.abc10.com/article/news/community/race-and-culture/california-expand-medi-cal-undocumented-residents/103-3e6111cf-a126-47a9-9bcb-3fc9bb8e5d77>; Timothy H.J. Nerozzi, “HHS approves Washington state request to offer health insurance to illegal immigrants, citing ‘health equity,’” Fox News, December 13, 2022, <https://www.foxnews.com/politics/hhs-approves-washington-state-request-offer-health-insurance-illegal-immigrants-citing-health-equity>

¹⁴⁶ Robin Rudowitz, Elizabeth Williams, Elizabeth Hinton, and Rachel Garfield, “Medicaid Financing: The Basics,” Kaiser Family Foundation, May 7, 2021, <https://www.kff.org/report-section/medicaid-financing-the-basics-issue-brief/>

¹⁴⁷ Teresa A. Coughlin, Haley Samuel-Jakubos, and Rachel Garfield, “Sources of Payment for Uncompensated Care for the Uninsured,” Kaiser Family Foundation, April 6, 2021, <https://www.kff.org/uninsured/issue-brief/sources-of-payment-for-uncompensated-care-for-the-uninsured/>

¹⁴⁸ “Profile of the Unauthorized Population: United States,” Migration Policy Institute, <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/US>

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¹⁴⁹ Richard Payerchin, “National rate of uninsured people hits record low 8%, HHS says,” *Medical Economics*, August 4, 2022, <https://www.medicaleconomics.com/view/national-rate-of-uninsured-people-hits-record-low-8-hhs-says>; for the original report see Aiden Lee, Joel Ruhter, Christie Peters, Nancy De Lew, Benjamin D. Sommers, “Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, August 2022, <https://aspe.hhs.gov/sites/default/files/documents/15c1f9899b3f203887deba90e3005f5a/Uninsured-Q1-2022-Data-Point-HP-2022-23-08.pdf>

¹⁵⁰ Rudowitz et al., Medicaid Financing, Kaiser Family Foundation

¹⁵¹ Ibid.

¹⁵² Eligible Older Adult Expansion Individuals Enrolled in Medi-Cal, CHHS Open Data, <https://data.chhs.ca.gov/dataset/a5ea66bb-df0d-4e4a-bd9f-b73c24f0edc0/resource/7271b885-7340-49e2-ba56-5435b698a972/download/odp-oae-dataset-august-2022-to-october-2022-12.14.2022.csv>

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¹⁶⁴ 2020 National Averages, National Institute of Corrections, USDQJ, <https://nicic.gov/state-statistics/2020/2020-national-averages>

¹⁶⁵ "Table 20, Prisoners in 2020- Statistical Tables", Bureau of Justice Statistics, <https://bjs.ojp.gov/content/pub/pdf/p20st.pdf>

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¹⁷¹ Office of Arizona Governor Doug Ducey, <https://azgovernor.gov/governor/news/2022/06/governor-ducey-signs-most-meaningful-border-security-legislation-state-history>

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¹⁷⁷ Zoe Neuberger and Tina Fritz Namian, “Who Benefits From Federal Subsidies for Free and Reduced Price School Meals?” Center on Budget and Policy Priorities, January 30, 2010, <https://www.cbpp.org/research/who-benefits-from-federal-subsidies-for-free-and-reduced-price-school-meals>

¹⁷⁸ Mackenzie Wilkes, “States put free school meals on the menu,” *Politico*, December 31, 2022, <https://www.politico.com/news/2022/12/31/states-put-free-school-meals-on-the-menu-00075642>

¹⁷⁹ Ali Tadayon, “Healthier options on the menu as California begins providing free meals for all students,” EdSource, August 16, 2022, <https://edsource.org/2022/healthier-options-on-the-menu-as-california-begins-providing-free-meals-for-all-students/676773>; Sharon Zhang, “Colorado Votes to Provide Universal Free School Meals by Taxing the Wealthy,” Truthout, November 10, 2022, <https://truthout.org/articles/colorado-votes-to-provide-universal-free-school-meals-by-taxing-the-wealthy/>; “Maine makes free school lunches permanent after federal funding ends,” National Public Radio, August 31, 2022, <https://www.npr.org/2022/08/31/1120223479/maine-makes-free-school-lunches-permanent-after-federal-funding-ends>

¹⁸⁰ To arrive at this estimate FAIR employed a complex methodology, which, in simple terms, involved determining how many K-12 public school pupils in each state did not receive free or reduced price school meals before the pandemic, and how many of them came from illegal alien households. Those percentages were then applied to the annual costs of the new universal school meal programs introduced in California, Colorado, and Maine

¹⁸¹ “Understanding Supplemental Security Income SSI Benefits -- 2022 Edition,” Social Security Administration, <https://www.ssa.gov/ssi/text-benefits-ussi.htm>

¹⁸² See the federal tax contributions section of this report for methodology.

¹⁸³ Matthew O’Brien, Spencer Raley and Casey Ryan. “The United States Loses \$150 Billion Annually in Remittances”, FAIR, <https://www.fairus.org/issue/workforce-economy/united-states-loses-150-billion-annually-remittances>

¹⁸⁴ Ibid.

¹⁸⁵ 63 OK Stat § 2-503.1j (2022), <https://law.justia.com/codes/oklahoma/2022/title-63/section-63-2-503-1j/>

¹⁸⁶ David North, “The Remittance Fee in Oklahoma, Georgia, and in the U.S. Congress”, Center for Immigration Studies, <https://cis.org/North/Remittance-Fee-Oklahoma-Georgia-and-US-Congress>

¹⁸⁷ See the federal tax contributions portion of this report for more details on the net amount of taxes paid by illegal aliens.

¹⁸⁸ “States With No Income Tax”, Investopedia, <https://www.investopedia.com/financial-edge/0210/7-states-with-no-income-tax.aspx>

¹⁸⁹ Average income data can be found at the U.S. Bureau of Labor Statistics’ “Labor Force Statistics from the Current Population Survey” page, <https://www.bls.gov/cps/earnings.htm>

¹⁹⁰ FAIR sources state tax data from the aggregation of state income tax and deduction information as compiled by the reputable Tax Foundation in the “State Individual Income Tax Rates and Brackets for 2022” report, <https://taxfoundation.org/publications/state-individual-income-tax-rates-and-brackets/>

¹⁹¹ FAIR made these calculations by taking the adjusted average earnings by illegal alien households in each state, subtracted standard deductions as set by each state (when applicable), and finally multiplied that taxable income by our estimate of the total number of illegal alien households employed in the aboveground economy in each state. More about the average income and total number of households can be found in the introduction of the federal taxes section of this report.

¹⁹² “IV. Social and Economic Characteristics”, Pew Research Center, <https://www.pewresearch.org/hispanic/2009/04/14/iv-social-and-economic-characteristics/>

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¹⁹⁴ Home Affordability Calculator, Wells Fargo, <https://www.wellsfargo.com/mortgage/home-affordability-calculator/>

¹⁹⁵ “Gasoline Tax”, American Petroleum Institute, <https://www.api.org/oil-and-natural-gas/consumer-information/motor-fuel-taxes/gasoline-tax>

¹⁹⁶ “National Average Gas Prices”, AAA, <https://gasprices.aaa.com/>

¹⁹⁷ “Food Prices and Spending”, Economic Research Service, U.S. Department of Agriculture, <https://www.ers.usda.gov/data-products/ag-and-food-statistics-charting-the-essentials/food-prices-and-spending/>

¹⁹⁸ “Consumer Expenditures-2021”, U.S. Bureau of Labor Statistics, U.S. Department of Labor, <https://www.bls.gov/news.release/cesan.nr0.htm>

¹⁹⁹ Based on FAIR’s annual estimate and distribution of the illegal alien population as previously referenced in this report.

²⁰⁰ Janelle Fritts, “State and Local Sales Tax Rates, 2023”, Tax Foundation, <https://taxfoundation.org/publications/state-and-local-sales-tax-rates/>

²⁰¹ We reached this total by taking the data detailed in this section to create an estimate of the disposable income for illegal aliens in each state that is subject to state and local sales tax. We then applied that total to the combined state and local average tax rate in each of the 50 states plus Washington, D.C.

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Priorities and Mission of the Second Trump Administration's Department of State

PRESS STATEMENT

MARCO RUBIO, SECRETARY OF STATE

JANUARY 22, 2025

Serving as America's 72nd Secretary of State is the highest honor of my professional life. President Trump has given me a clear direction to place our core national interest as the guiding mission of American foreign policy. Every dollar we spend, every program we fund, and every policy we pursue must be justified with the answer to three simple questions:

Does it make America safer?

Does it make America stronger?

Does it make America more prosperous?

To advance our national interest, we will build a more innovative, nimble, and focused State Department. This will require replacing some priorities, deemphasizing some issues, and eliminating some practices.

First, we must curb mass migration and secure our borders. The State Department will no longer undertake any activities that facilitate or encourage mass migration. Our diplomatic relations with other countries, particularly in the Western Hemisphere, will prioritize securing

America's borders, stopping illegal and destabilizing migration, and negotiating the repatriation of illegal immigrants.

Next, we must reward performance and merit, including within the State Department ranks. President Trump issued an executive order eliminating "DEIA" requirements, programs, and offices throughout the government. This order will be faithfully executed and observed in both letter and spirit.

Relatedly, we must return to the basics of diplomacy by eliminating our focus on political and cultural causes that are divisive at home and deeply unpopular abroad. This will allow us to conduct a pragmatic foreign policy in cooperation with other nations to advance our core national interests.

We must stop censorship and suppression of information. The State Department's efforts to combat malign propaganda have expanded and fundamentally changed since the Cold War era and we must reprioritize truth. The State Department I lead will support and defend Americans' rights to free speech, terminating any programs that in any way lead to censoring the American people. While we will combat genuine enemy propaganda, we will do so only with the fundamental truth that America is a great and just country whose people are generous and whose leaders now prioritize Americans' core interests while respecting the rights and interests of other nations.

Finally, we must leverage our strengths and do away with climate policies that weaken America. While we will not ignore threats to our natural environment and will support sensible environmental protections, the State Department will use diplomacy to help President Trump fulfill his promise for a return to American energy dominance.

In short, President Trump's forward-looking agenda for our country and foreign relations will guide the State Department's refocus on American national interests. Amid today's reemerging great power rivalry, I will empower our talented diplomatic corps to advance our mission to make America safer, stronger, and more prosperous.

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Venezuela situation

GLOBAL APPEAL 2024

There are over 7.7 million Venezuelan refugees and migrants worldwide, of which 84% (6.5 million) are in Latin America and the Caribbean.



Rosmary Yaure and her son Leon, lived in Málaga, Duitama, Tunja, and Paima before returning to Venezuela one year ago. Rosmary is currently participating in the hairdressing workshop that UNHCR, along with its institutional partners, offers in her community, where people who have returned to the country are involved. © UNHCR/Santiago Escobar-Jaramillo

2024 population planning figures

- **Refugees and asylum-seekers:** 892,200
- **Refugee and IDP returnees:** 75,000
- **Other people in need of international protection**** (OIP): 6,430,300
- **Others of concern***:** 3,111,900

***Figures are aligned to RMRP 2023-2024 and do not include Venezuelan refugees and migrants outside Latin America and the Caribbean.**

**** Other people in need of international protection refers to people who are outside their country or territory of origin, typically because they have been forcibly displaced across international borders, who have not been reported under other categories (asylum-seekers, refugees, people in refugee-like situations) but who likely need international protection.**

***** Others of concern refer to individuals who do not fall directly into any of the groups above but to whom UNHCR has extended its protection and/or assistance services.**

For the reported figures consult the dedicated page on [UNHCR operational data portal](#).

2024 Situation overview

Cross-border displacement and mixed movements from the Bolivarian Republic of Venezuela continue, despite a low-level increase in spontaneous return movements. According to the Regional Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela (R4V)*, co-led by UNHCR and IOM, as of September 2023, there were **over 7.7**

million Venezuelan refugees and migrants worldwide, of which 84% (6.5 million) are in Latin America and the Caribbean. By mid-2023, there were **over 300,000 recognized refugees, and almost 1.2 million asylum-seekers**. UNHCR is planning to respond to 6.5 million Venezuelan migrants and refugees in the region in 2024.

Pendular movements along border areas are expected to continue as Venezuelans seek to address basic needs temporarily in neighbouring countries. However, a lack of viable options in some hosting countries drives many to move onward in search of a more stable future. Movements of refugees and migrants between host countries, including northbound movements, have significantly increased, and are expected to continue as Venezuelans and other affected nationals with heightened vulnerabilities seek sustainable protection and integration solutions. In the first nine months of 2023, **over 400,000 people (63% of them Venezuelans) moved north through Panama's Darien jungle**, an almost threefold increase compared to the same period in 2022.

In the context of dynamic population trends (outflows, returns, deportations, cross-border pendular and onward movements), UNHCR will work across the region to support Venezuelan refugees and migrants, focusing on protection, socioeconomic integration, and multisectoral assistance, including education, health, shelter and water, sanitation and hygiene.



Douglas Rojas (15) with his father Luis David returned to Venezuela from Bogota in 2021, and they later moved to Peru before deciding to return to Venezuela in 2023. Currently, Douglas is participating in training for motorcycle repair, as his father has a motorcycle repair shop. © UNHCR/Santiago Escobar-Jaramillo

UNHCR will also provide overall operational coordination, planning, communication and information management services for the entire response. **Inside Venezuela, UNHCR will support all population groups with humanitarian needs** – refugees, asylum-seekers, internally displaced people, people at risk of displacement, returnees and deportees with protection needs – as well as communities in prioritized locations to build resilience.

According to the Refugee and Migrant Needs Analysis (RMNA) for 2023, **more than 4.4 million Venezuelans still face difficulties accessing food, shelter, healthcare, education and formal employment**, despite efforts by host countries to regularize and integrate them. In the case of Colombia, for example, more than 1.6 million Venezuelans have already been documented and more than 2 million biometrically registered.

According to the RMNA, 19% of refugee and migrant children are out of school, and more than 36% are without a regular status in their respective host countries. Based on available data in eight countries, **employment levels of economically active refugees and migrants in countries of destination ranged from 97% in Peru to 61-62% in Costa Rica and Panama**.

36% of Venezuelans in the region are still in an irregular situation, and 3 million may stand to benefit if regularization is supported and carried out effectively in countries such as Brazil, the Dominican Republic, Ecuador and Peru, as well as Colombia. It will be essential to monitor – and support where necessary – access to regularization exercises themselves, as well as effective access to rights, services and inclusion. Resettlement and complementary pathways will feature as increasingly important solutions for protection and or responsibility-sharing. Parallel to efforts for ensuring regular status and documentation, UNHCR will work in close cooperation with local governments and other key stakeholders such as

development and financial actors and the private sector to enable the socioeconomic inclusion of asylum-seekers and refugees. UNHCR will prioritize emergency humanitarian assistance and protection services for new arrivals, population groups at heightened risk, and those considering returns, especially through collaboration with civil society.

Synergies between the Regional Refugee and Migrant Response Plan (RMRP) and Humanitarian Response Plan will be reinforced in 2024, focusing on activities implemented in border areas, reception and reintegration of returnees, the issuance of personal documentation, and support to national and regional campaigns against discrimination and xenophobia. According to the RMRP, **the R4V response aims to assist 2.4 million refugees and migrants in destination, 415,000 refugees and migrants in transit, 284,000 refugees and migrants engaging in pendular movements, 122,000 Colombian returnees and 365,000 members of affected host communities.** The RMRP will be updated, with revised population projections, on 6 December 2023.

** Population projections for end-2024 will be updated by the R4V Platform in the context of RMRP Update on 6 December 2023.*

For the most recent stories, press releases and briefing notes, please visit the Emergency page on [unhcr.org](https://www.unhcr.org) dedicated to [Venezuela](#).

ANNUAL REPORT

VIOLENCE 2023

VENEZUELAN OBSERVATORY OF VIOLENCE
SOCIAL SCIENCES LABORATORY



LACSO

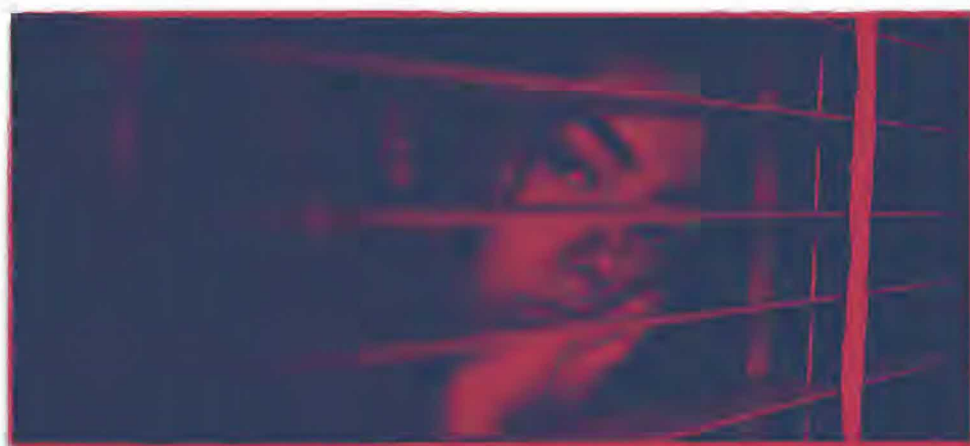
CARACAS, LACSO, 2023



- 1- By the end of the year 2023, there were 6,973 cases of violent deaths reported. Out of these, 1,956 were homicides committed by criminals, 953 were deaths resulting from police intervention actions, and 4,064 deaths were classified as violent, the cause and intentionality of which are still under investigation.
- 2- The figures indicate a shift in the recent trend, as there was a 25% decrease in violent deaths when compared to the years 2021 and 2022. The total number of violent deaths in those years was 9,447 and 9,367, respectively, which were very similar to each other. These figures showed stagnation without any reduction or increase in relation to violent deaths in the previous two years.
- 3- After converting the raw count of violent deaths that occurred in the year 2023 into rates and adjusting it with the estimated population count of 26 million inhabitants, we have obtained a rate of 26.8 deaths per hundred thousand individuals. This signifies a noteworthy decrease of 8.5 points in comparison to the rates reported for the years 2021 and 2022, which were recorded as 34.9 and 35.3 deaths per hundred thousand inhabitants, respectively.
- 4- The decrease was uneven in the three categories of violent deaths. Homicides experienced the smallest reduction with 15.9%, registering 372 fewer victims. Deaths due to police intervention fell by 23.1%, with a decrease of 287 deaths. Deaths under investigation showed the greatest decline, with a decrease of 1,735 registered cases, representing a decrease of 29.9% compared to 2022.
- 5- Although the absolute numbers presented a reduction as a whole, the internal composition of the causes of violent deaths remained quite similar to those observed in 2022. Deaths occurring due to police intervention accounted for 13.7% of total violent deaths, very similar to the 13.2% in 2022. The participation deaths under investigation decreased by 3.7%, falling from 61.9% in 2022 to 58.3% in 2023. And homicide victims increased by 3.2 percentage points as their share grew from 24.9% last year to 28.1% this year.
- 6- The sum of homicides and deaths due to police intervention total 2,909 victims, while deaths whose cause of violent death is under investigation totaled 4,064 cases, which means that deaths that are in that black box called "under investigation" represent more than two quarters -58.3%- of violent deaths in the country. This is an extremely high figure, especially if one takes into consideration the agreements on international standards in this matter, such as the Bogotá Protocol of 2015, where it was established that deaths due to undetermined causes should not exceed 10% of those killed in homicides due to police interventions. That 10% in Venezuela during the year 2023 would be 290 cases, while the estimated number was 4,064 victims, which is 14 times higher than the limit established as acceptable for this category of violent deaths at the international level.
- 7- In the year 2023 there was an average of 581 deaths per month, 134 per week and 19 per day.
- 8- Police-involved deaths averaged 79 per month, 18 per week, and 3 per day of the year.



- 9- Two-thirds (66%) of homicide victims were between 15 and 44 years of age.
- 10- According to available information, the age group with the highest participation as victims of homicides is between 15 and 29 years of age, where 37% of the deaths were concentrated.
- 11- The occurrence of violent events was distributed fairly homogeneously during all months of the year with an average of around 600 violent events per month.. A slight increase could be observed during the month of March 2023, but overall, it can be said that there is a regularization and stabilization of violent events, typical of this new phase of chronic violence in the country.
- 12- The occurrence of victimization among citizens with no police record and those who did have a police record shows a significant and inverted difference when it comes to typical homicides or deaths due to police intervention. In homicide deaths, 71% of the victims had no police record, while among those who died in police interventions, 64% did have a police record.
- 13- The number of missing persons continues to be high, with an estimated total of 1,443 persons in 2023, which represents a rate of 5.5 missing persons per hundred thousand inhabitants. We do not include these cases among violent deaths, as the absence of a body does not allow us to state conclusively whether the missing person is alive or dead. However, this category represents an unknown about the real magnitude of violent deaths that, with the bit of information available, is impossible to clarify.





VIOLENCE AT THE TERRITORIAL LEVEL OF THE FEDERAL ENTITIES

- 14- In the year 2023, two federal entities had a violent death rate higher than 40 deaths per one hundred thousand inhabitants: the Capital District with 50.8 and the state of Miranda with 41 victims per hundred thousand inhabitants.
- 15- The five most violent entities in the country in 2023 were the Capital District (50.8), Miranda (41), Bolivar (38.5), La Guaira (36.4) and Amazonas (33.4).
- 16- A total of eight federal entities had a rate of violent deaths higher than the national average of 26.8, in addition to the five mentioned above are Yaracuy (27.5), Delta Amacuro (27.4), and Aragua (27.2).
- 17- Three federal entities had a rate similar to the national average: Guárico (26), Falcón (25.5), and Carabobo (25.3).
- 18- Out of the 24 states in the country, 19 of them have reported a decrease in the number of violent deaths in comparison to the previous year. The number of violent deaths in three states remained the same, namely Amazonas, Falcón, and Sucre. However, two states experienced an increase in violent deaths: Cojedes and Lara.
- 19- The five entities with the lowest rate were Mérida (17.9); Apure (15.1); Portuguesa (914.9), Nueva Esparta (14) and Táchira, which had the lowest rate with 11.3 violent deaths per 100,000 inhabitants.
- 20- It's worth noting that even though violent deaths have gone down, the number of such deaths per 100,000 people is still higher than ten, the limit at which it's considered an epidemic.







VIOLENCE AT THE TERRITORIAL LEVEL OF MUNICIPALITIES

- 21- Three of the ten most violent municipalities in the country are in Bolivar (El Callao, Sifontes and Roscio), four in Miranda (Paz Castillo, Brion, Sucre and Lander) and the remaining are located in Yaracuy (Bruzual), Zulia (La Cañada de Urdaneta) and Carabobo (Juan José Mora).
- 22- The three municipalities with the highest violence in 2023 were located in the mining area of Bolivar state, being the municipality of El Callao with a rate of 424.7 victims per one hundred thousand inhabitants, the most violent in the country. It is followed in violence by the municipality of Sifontes (Tumeremo), with a rate of 151 victims, and the municipality of Roscio (Guasipati), with 134.3 violent deaths per 100,000 inhabitants.
- 23- In the state of Miranda, the municipality with the highest rate of violence per one hundred thousand inhabitants was Paz Castillo (Santa Lucia del Tuy) with 75.7, followed by Brion (Higuerote) with a rate of 62.7 and then Sucre (Petare) with 61.1 and finally Lander (Ocumare del Tuy) with 60.5.
- 24- The following ten municipalities in the list (position 11 to 20) include two in the state of Carabobo: Diego Ibarra (Mariara) with 47.5 and Libertador (Tocuyito) with 47.1; two in the state of Sucre: Arismendi with 46.4 and Montes de Oca with 40.9; two municipalities in the state of Miranda: Acevedo (Caucagua) with 44 and Guaicaipuro (Los Teques) with 39.4. The other four remaining municipalities are located, one in the state of Zulia, the municipality of Jesús Enrique Lossada (55.5); one in Guárico state, the municipality of Zaraza (53.6); one in the Capital District, the municipality of Libertador (50.8); and one in Bolívar state, the Bolivarian municipality of Angostura (45.5).
- 25- Out of the 335 municipalities in the country, 42 of them registered violent death rates higher than the country's average (26.8), while 83 municipalities had a stable rate higher than 10 per one hundred thousand inhabitants, being at the level considered an epidemic of violence.





HOMICIDES

- 26- The highest number of homicides per federal entity was registered in the states of Miranda with 279 victims, Capital District with 223 and Zulia with 205 deaths. They are followed in order of importance by Bolivar (150), Aragua (127), Carabobo (117), Sucre (111) and Guárico (82).
- 27- Expressed as rates per hundred thousand inhabitants, the first place is occupied by Delta Amacuro, which, although it only had 27 homicides, due to its population size has a rate of 16.1. It is followed by the five states with the highest rates, the Capital District with 13.4; the state of Sucre with 12.6; Guárico with 10.7 and Miranda with 10.5 victims per one hundred thousand inhabitants.



DEATHS DUE TO POLICE INTERVENTION

- 28- The states with the highest number of deaths resulting from police interventions were Miranda with 227 victims, Carabobo with 131, Zulia with 115, Aragua with 100, the Capital District with 96, and the states of Bolívar and Anzoátegui with 41 deaths each and Guárico with 32.
- 29- Observing deaths by police intervention as rates and according to the respective population base, we find that the first five states with the highest rates were Miranda (8.6); Aragua (6.6); Carabobo (6.4); Distrito Capital (5.8) and Amazonas which, although it registered eight cases, its rate was 4.9 victims per one hundred thousand inhabitants.
- 30- In the state of Carabobo, deaths due to police intervention exceeded victims of crime, and in the states of Miranda and Aragua, the magnitudes of both categories were similar.



DEATH INVESTIGATIONS

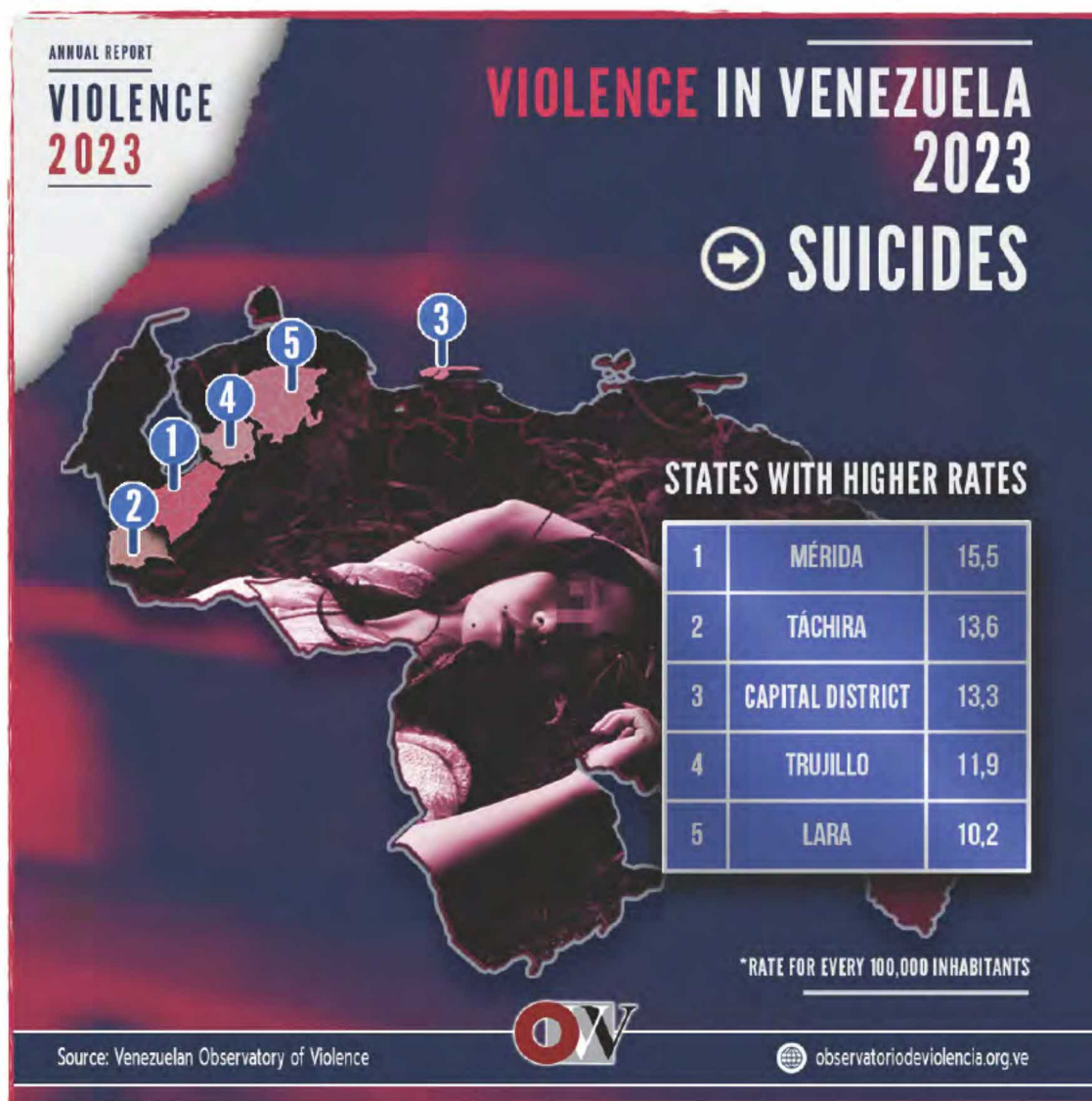
- 31- The federal entities with the highest number of unsolved cases of violent deaths classified under the category of death investigations were: Miranda (580); Capital District (528); Zulia (460); Bolívar (391); Carabobo (270); Lara (216); Anzoátegui (196) and Aragua (182).
- 32- If we observe them as rates, the five federal entities with the highest number of cases of death investigations in relation to the size of their population were the Capital District with 31.7; La Guaira, which with 93 cases has a rate of 30.5; Bolivar with 25.9; Miranda with 21.9 and Amazonas, which with 33 cases has a rate of 20.4 victims per 100,000 inhabitants.



SELF-INFLICTED VIOLENCE

- 33- According to the various official data available, the rate of self-inflicted deaths is 8.2 deaths per 100,000 inhabitants, a value that tended to increase by 6.5% when compared to our estimate for 2022 (7.7 suicide deaths per 100,000 inhabitants). In the context of federal entities, 17 experienced increases in their rates between 2022-2023 (Amazonas, Barinas, Bolivar, Carabobo, Cojedes, Delta Amacuro, Falcón, Guárico, Lara, Mérida, Monagas, Nueva Esparta, Portuguesa, Sucre, Táchira, Trujillo and Zulia) compared to 2021-2022 where only 11 increased their values. In the remaining seven entities, the rate was reduced (Capital District, Anzoátegui, Apure, Aragua, Miranda, Yaracuy and La Guaira) and it is noteworthy that most of them belong to the central-north coastal region, while in the last two previous years (2021-2022) Capital District, Aragua and Miranda, increased their figures.
- 34- For the 22nd year in a row, the state of Merida has the highest rate of self-inflicted deaths in the country, with 15.5 deaths per 100,000 inhabitants. The next five states with the highest rates are Táchira (13.6%), Capital District (13.3%, which dropped to third place after holding second place for two years), Trujillo (11.9%), and Lara (10.2%). Once again, the three Andean states are in the lead, which is a common occurrence based on retrospective studies on this cause of death.
- 35- Men continue to be the ones who make the most attempts on their lives (82.0% of cases). Meanwhile, hanging continues to be the method most frequently used by those who attempt suicide (75.1%), while depression tends to appear with the greatest relative weight (86.1%) as the motive or presumed immediate cause of suicide.





GENDER VIOLENCE

- 36- The masculinization of lethal violence in the country persists. Out of the victims of bodily injury, 61.4% were male; 88.4% of those murdered were male and 98.6% of the victims killed by police intervention were also male.
- 37- Concerning the information available on the motive for the murder, we found that in cases of criminal violence, 95% of the victims were men. However, about suspicious gender violence, the data is different, and the victims were 56% women.
- 38- Female victimization varied notably from a very low level, in the case of deaths due to police intervention, which were 1.4%, to a very high percentage in rapes, where they accounted for 96% of known victims. Among the non-fatal victims of violence, four (39%) out of every ten injured were women, and six (61%) were men.
- 39- In 2023, 12 cases of infanticide were identified in which the mother acted directly as the victimizer or was an accomplice to the death on the part of the father or stepfather. Various types of crimes were recorded and made known to society: cruel treatment, sexual abuse, rape, and negligence, in which there is cruelty and vicious treatment of defenseless children.
- 40- It was also possible to count 171 female adolescent victims of rape and other sexual aggressions and 153 boys and girls victims of these crimes. Eighty-nine percent of the victims of rape and sexual crimes are children under 12 years of age and adolescents, who are also the most frequent victims of sexual exploitation.
- 41- There were cases of children and adolescents murdered by criminals, in situations that could be associated with retaliation or "punishment" against their parents or relatives, as in the case of the 10-year-old boy who was shot several times because his father did not let them steal the motorcycle they were riding, or the 12-year-old teenager who was gunned down at the door of his house by a gang seeking revenge against his stepfather.
- 42- In July 2023, the Public Prosecutor's Office reported that a total of 2,076 cases had been filed for the crime of sexual abuse of children and adolescents from January to June 2023; and in recent months, prosecutorial proceedings and judicial sentences against adults responsible for crimes have been published.

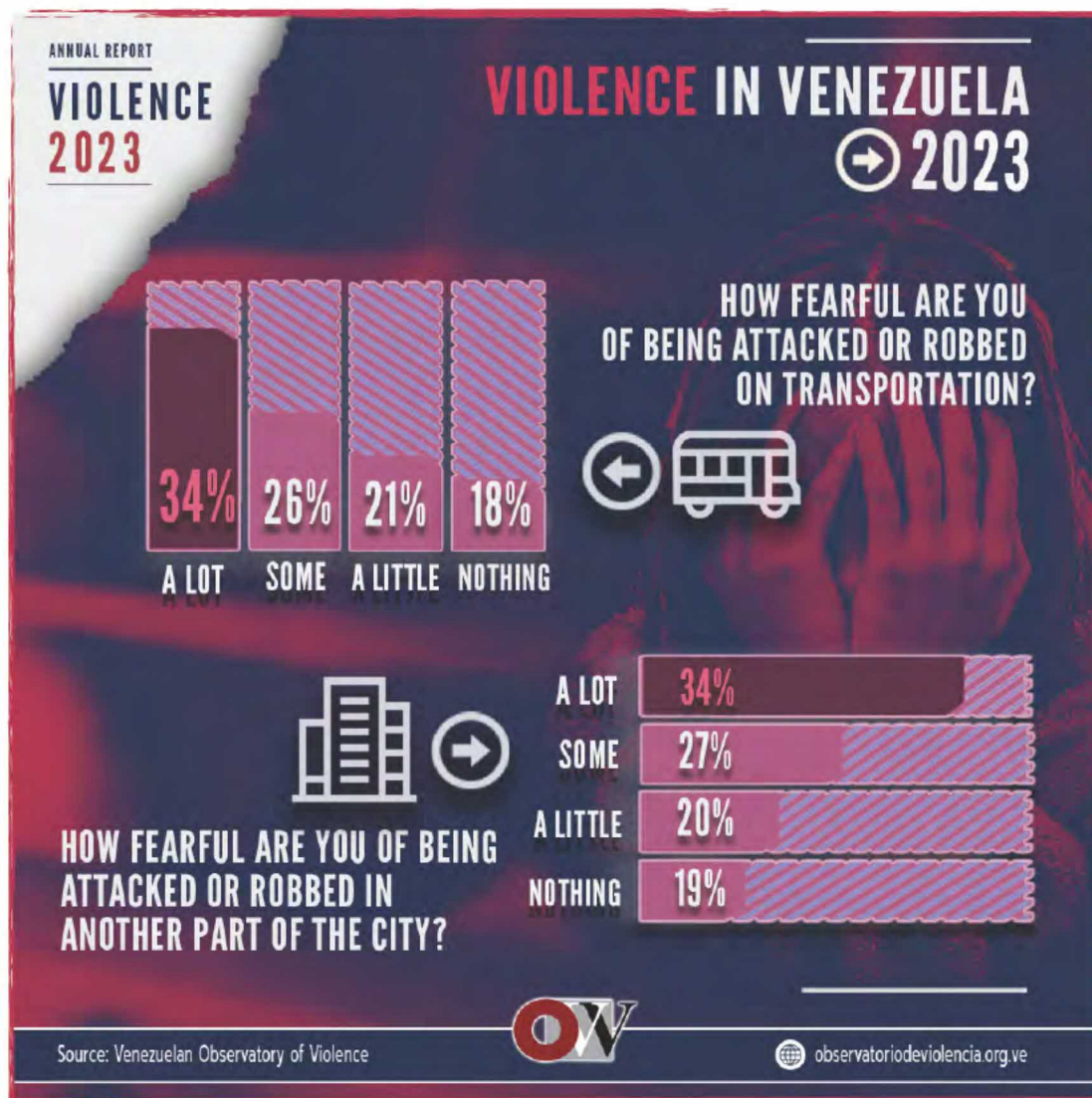


REPORTED VICTIMIZATION

- 43- In a study conducted in mid-2023 with a national household sample survey, with the purpose of finding out the victimization reported by families, it was found that 11% of those interviewed and 15% of some of the other members of that household had been direct victims of a crime during the twelve months before the survey.
- 44- When asked about their perception of changes in the violence situation, 43% of those surveyed said that the situation had remained the same, 22% said that it had decreased and 35% said that it had increased.
- 45- 60% of the population said they were afraid of being victims of violence in public transportation, and 34% of them said they were very afraid. While 18% said they were not afraid at all. Similar proportions are repeated when it comes to the fear of being a victim of crime in a part of the city different from where they live, since in that case 61% said they were worried, while 19% said they were not afraid at all.
- 46- Almost half of the population (47%) stated that due to fear of being a victim of violent crime, they had restricted their attendance to recreational places or at the times they were accustomed to or would like to have attended.
- 47- A little more than one-fifth of the population (22%) stated that due to fear of violence, they had felt the need to move from the area or city in which they lived.
- 48- Despite the victimization rates staying consistent between 2022 and 2023, it is noteworthy that there was a noticeable shift in the population's perception of security, which holds significant social value.



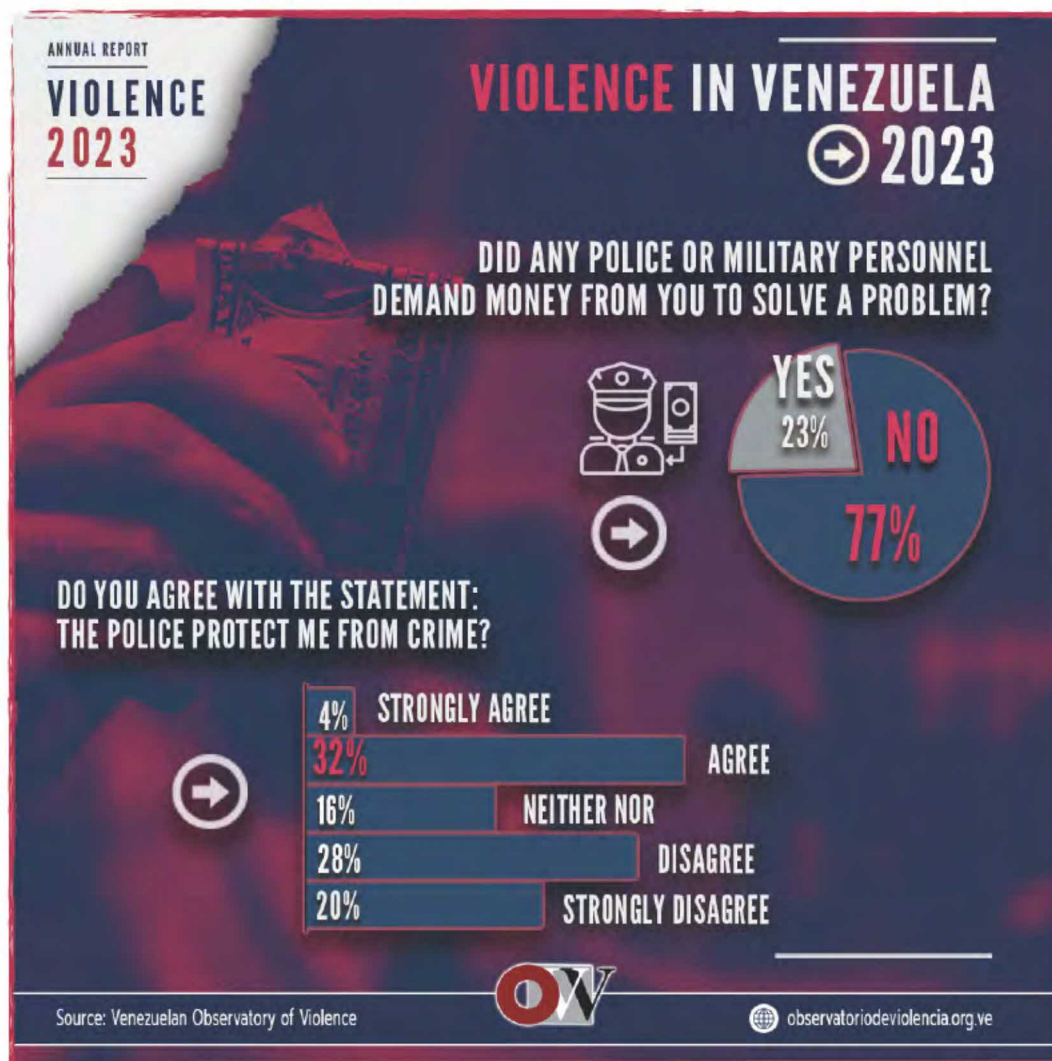






POLICE PROTECTION

- 49- There is a prevalent lack of clarity among citizens in the country regarding the effectiveness of police protection in the face of crime. A mere 4% of respondents strongly agreed that the police provided them with adequate protection, while 20% (five times as many) strongly disagreed, citing the feeling of being left unprotected. Overall, 36% of respondents believed that the police provided them with protection, while 48% believed that they were not protected by the police.
- 50- However, when asked about their willingness to cooperate with the police and the risk that this could represent, more than two-quarters (59%) of the population considered it very dangerous to cooperate with the security forces. Only a little more than a fifth (22%) considered that it was not at all dangerous to help the police in their work.
- 51- Deaths due to police intervention are evaluated in different ways by the population, because while some consider the results positive, there is a rejection of the means used and the possible violations of human rights and due process. This perception varies depending on how close or far away the events occur.
- 52- It is significant that in some municipalities there were more deaths due to police action than homicides committed by criminals, in the municipality of Juan José Mora of the state of Carabobo; municipalities of Lander and Libertador of the state of Miranda; municipalities Linares Alcántara of Aragua and Zamora of Guárico.
- 53- During the year, an effort was made by the police to offer protection to highly vulnerable agricultural companies and producers in their production and commercialization tasks. In the opinion of business actors, this protection work has been unevenly distributed and has not had the universal character required by its public function, considering that it is a process of informal "privatization" of police actions.
- 54- In a study with a national sample of households, it was found that in 23% of those interviewed, a quarter of the population stated that in the previous 12 months, they had had to pay police or military officials because they had been asked for money to resolve some situation or problem. Extortion by officials who demand payment or request "collaboration" under asymmetrical conditions of power has become generalized in public administration offices, but constitutes a greater aberration with those officials who are in charge of law enforcement and protection of citizens. The public sentiment is that they are being subjected to a dual form of coercion - one from the criminal elements and the other from the law enforcement agencies. This is causing significant damage to the institutional framework of the country..



PROTECTION OF OTHER SOCIAL ACTORS

- 55- The reduced trust in the police leaves room for other social actors, legal and illegal, to take over the protection role that is the State's obligation.
- 56- Neighbors are the main actors in which the population places its trust for protection against crime: 63% of Venezuelans considered their neighbors to be their family's primary protection against crime.
- 57- Although in a much lower percentage, but no less significant, 7% of those surveyed considered that the so-called "collectives" protected them from crime. This is an important figure, considering that these social actors are present in small geographical areas of the country.
- 58- It is also significant that 3.2% of the population considers that it is the criminal gang operating in the area where they live that offers them protection, showing progress in establishing criminal governance in several areas of the country.
- 59- The establishment of various modalities of criminal governance in several territories of the nation shows the expansion of the business model that illegal actors have assumed to control various types of income from the construction of factitious monopolies of production or distribution of legal goods with the use of force. This business model, based on extortion and direct or associated participation in business, has led to the repression of petty crime and juvenile violence by organized criminal groups and provoked a sense of security among the population and a reduction in the rates of lethal violence.

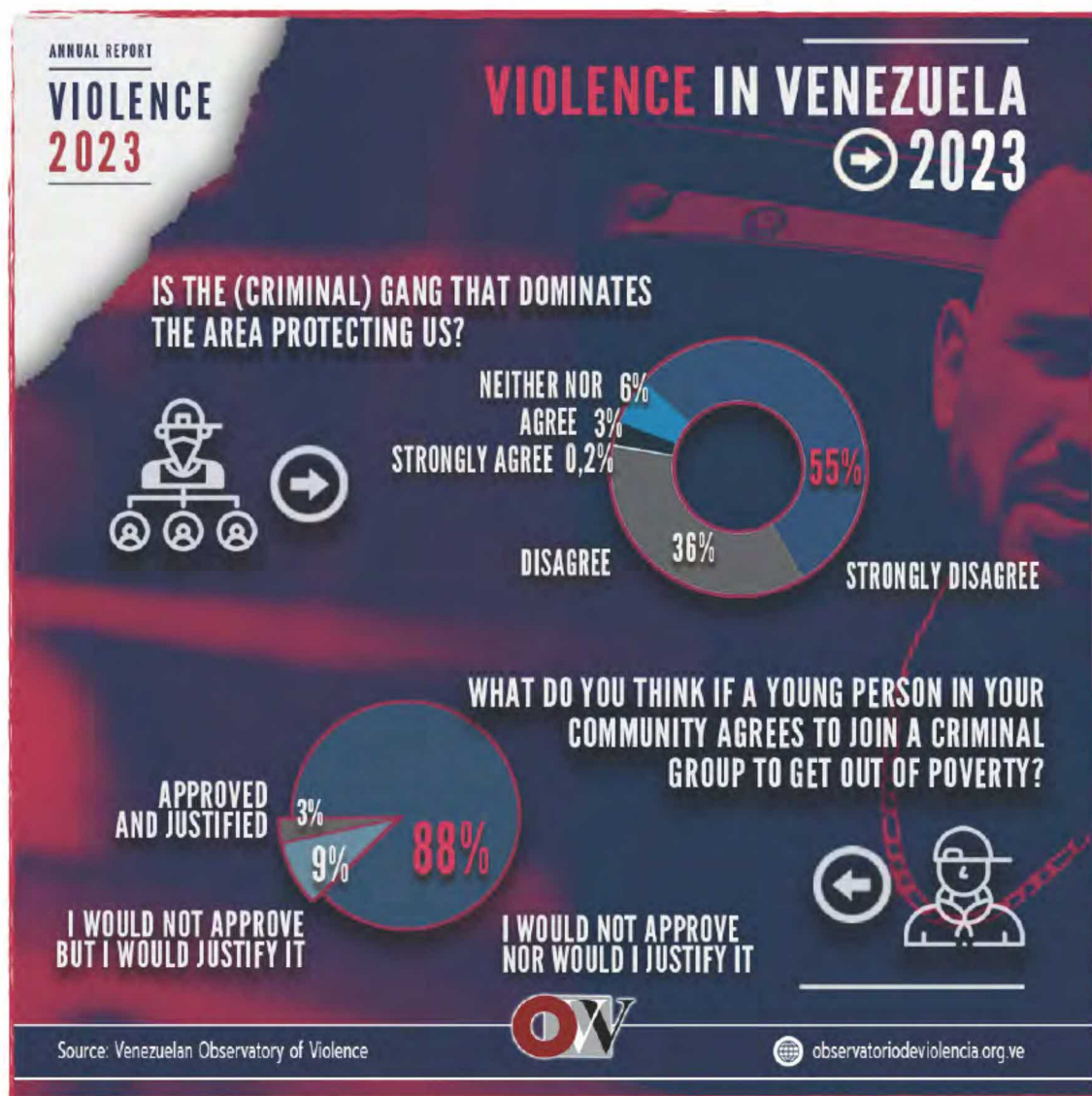




THE MORALITY OF SOCIETY

- 60- In 2023, there was a significant decline in the quality of life for the general population. This was due to a number of factors, including stagnant wages in the public sector, modest increases in the private sector, the use of the dollar for transactions, and sustained inflation in the prices of essential goods and services such as food, transportation, and public utilities. As a result, many people had to seek out additional sources of income, such as taking on a second job or starting a small business. Some even had to sell assets to cover the costs of necessary expenses, such as school supplies for their children or medical treatment.
- 61- In the midst of these adverse conditions, it is susceptible to imagine that the temptation of crime as a means to overcome poverty could be generalized in society. To this end, we asked a sample of the national population what their opinion was on whether a young person in their community would agree to join a criminal group in order to get out of poverty. The response options had two dimensions: one of moral evaluation (would or would not approve of it) and the other of situational understanding (would or would not justify it).
- 62- The results were that 88% of those interviewed expressed a profound moral rejection of such behavior and stated that they would neither approve nor justify it.
- 63- In the remaining 12%, a quarter, 3% expressed that they approved and justified it. The remaining 9% expressed a moral rejection of the decision and said they approve would disapprove of it but that they would find it understandable and justify it because of the present and future conditions expressed in the question.
- 64- The notable rejection of the situation by 88% of the population shows that this is the dominant and generalized moral value regardless of social strata or political, ideological, or religious preferences. However, it is important to note a worrying difference found in the age groups, since the group that approved or justified the action was made up more of young people, while among the older population, rejection predominated.





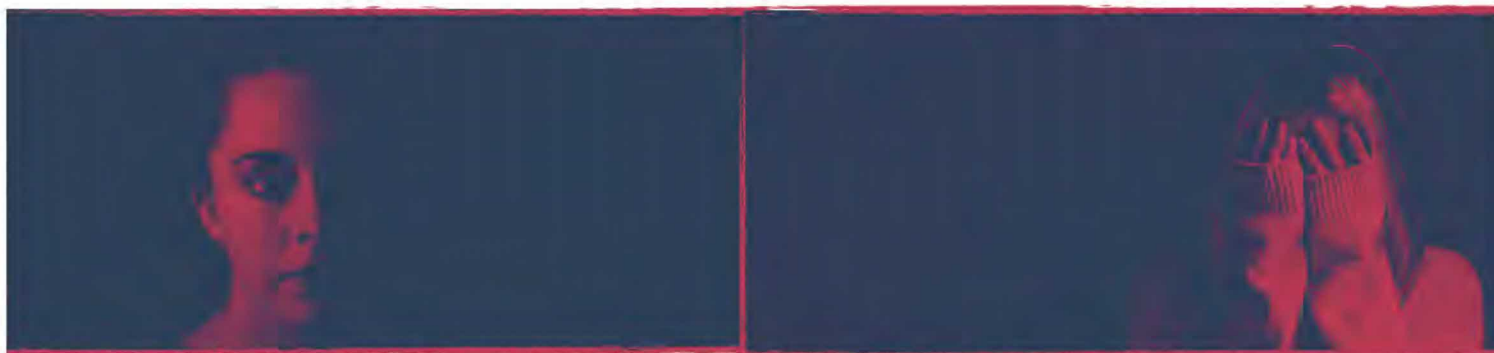
INTERNATIONAL SITUATION

- 65- In 2023, Latin America witnessed two contrasting scenarios related to violence and criminal activities. Ecuador, which was once considered a relatively safe country in the region, experienced a significant surge in crime and lethality, making it perhaps the most dangerous country in the region. In contrast, El Salvador witnessed a steady decline in the number of homicides during the same period.
- 66- In the year 2023, many countries saw a decrease in the number of homicides. However, it is essential to note that this positive trend did not completely compensate for the previous rise in violent deaths in some countries, nor did it bring the rates back to their historical levels.
- 67- Ecuador has experienced fluctuations in its homicide rate over the last century, with periods of eight to ten years of ups and downs. The homicide rate had remained stable between 8 and 10, but in the first decade of the 21st century, it peaked in 2008 with 18 victims per 100,000 inhabitants. Between 2009 and 2018, there was a considerable decrease in the rate of violence, with an official calculation of 6 deaths per hundred inhabitants. However, there has been a sustained increase in violence since then, and it is projected that the rate could reach 44 deaths per 100,000 inhabitants by 2023, potentially making it the highest in the region. This sudden change can be explained by the presence in the Pacific coast provinces (Guayas, Manabí, Esmeralda, El Oro, Entre Ríos) of local criminal gangs that, in alliance with Colombian and Mexican criminal organizations, have built an important niche of criminal action, dedicated to drug exportation and money laundering with strong penetration in local politics. Ecuador is located between two cocaine-producing countries, Colombia and Peru, and its coastal areas have important ports that had been used for drug transit, but in recent years, these provinces have become a privileged logistical location for drug smuggling, along with the country's important agricultural exports. On the other hand, using the dollar as the country's legal tender since 1999 has made it easier for criminal groups to carry out illegal transactions and launder money from other countries. The assassinations of the mayor of Manta or of a presidential candidate in the middle of the electoral campaign, and the subsequent elimination of the material executors of the crime, are an important indicator of the presence of organized crime in the country and its risks for democratic governance.
- 68- In 2015, El Salvador had a homicide rate of 106 deaths per 100,000 inhabitants. With a history of social and political violence for more than a century, it was after the end of the internal war between the guerrillas and the national army between 1979 and 1992 that the shift from political violence to common criminality took place, driven by the demobilization of combatants from both sides. The unemployed combatants began to use the violence they had learned for other purposes. They contributed to the emergence of the two criminal gangs, the "maras", which imposed their dominance over large territories and whose confrontations for markets, rents, and spaces turned the country into the most violent in the world. After various security policies that alternated between an iron fist and truces, the most recent policy implemented by the government of mass incarceration of young gang members, allowed the fracturing of gangs and the drastic reduction of homicides, whose rate dropped according to the government to 18 in the year 2021, to 7.8 in 2002 and that official sources estimate to end 2023 with 2.3 deaths per one hundred thousand inhabitants. The methods used and the results obtained are a source of controversy, admiration and rejection, both nationally and internationally. Some analysts and politicians criticize the security policy employed by the government of El Salvador for the human rights and due process violations that may have occurred; others doubt the veracity of the death figures and rates offered by the authorities, since, they argue, these data do not include deaths occurring in police action, nor the disappearances carried out by both

criminal gangs and the police forces themselves. What is widely recognized is the drastic change in the situation of violence and criminality in the country.

- 69- Honduras has been another country that has had very high homicide rates during the last decade and has shown a sustained reduction recently. Officials claim that the application since the end of 2022 of a "State of Emergency" and a "crime solution" plan has allowed a reduction in violent deaths and the homicide rate, which could close 2023 with a figure that some estimate could be around 30, while others believe it could reach 37 deaths per 100,000 inhabitants. Civil society organizations maintain that there is an important change in criminality due to greater control of gangs and confrontations that end in multiple murders, and a focus of activities not only in the traditional areas, such as the city of San Pedro Sula, but also an expansion and consolidation in the coast and jungle of the Mosquitia as a platform for drug trafficking from South America to the United States.
- 70- In Colombia and Brazil, there has been a sustained and significant reduction in violence in recent years, and by 2023, a modest decrease of about 2% in the homicide rate per hundred thousand inhabitants is expected, which in preliminary calculations is estimated to be around 23 deaths in Colombia and 21 deaths in Brazil. Both countries have also seen changes in the territorial location of violence, with a reduction in traditionally violent cities and an increase in the departments of the Atlantic coast in Colombia. In Brazil, violence that had shifted from the southern states (Sao Paulo, Rio de Janeiro, Minas Gerais) to the north (Amazonas, Amapá) and northeast (Maranhão, Ceará, Rio Grande do Norte, Bahia), has once again spiked in the southeast of the country.
- 71- In Mexico, it can be estimated from police sources and data provided by The National Institute of Statistics and Geography (INEGI, for its initials in Spanish) that after a reduction in murders in 2021 and 2022, the homicide rate will remain stable at around 24 deaths per hundred inhabitants in 2023. Territorial differences in violence are very important in Mexico, and affect the national rate, as violent deaths are lower in the Yucatan peninsula (Campeche, Yucatan) and very high in the northern region bordering the United States (Sonora, Baja California), and in the central part of the country (Colima, Zacatecas, Michoacan, Guanajuato). Violence in Mexico continues to be determined by the rivalries between criminal organizations for the control of illegal rents, whether linked to the trafficking of drugs such as cocaine or fentanyl or for the control of other goods, such as the production and export of avocados. An essential change in the criminal world, which is the cause of new conflicts, occurs due to changes in the type of drugs trafficked to the United States, as there is a contraction in the export of marijuana and cocaine and a significant increase in shipments of fentanyl and methamphetamines. These changes in the drug market have an impact on the dominance of markets and routes held by criminal organizations, which may have an impact on both the increase and decrease in homicides.
- 72- In other Central American countries such as Guatemala and Panama, it is possible to calculate slight decreases in homicide rates, resulting in a rate of 16.2 deaths per 100,000 inhabitants in Guatemala and 10.8 in Panama at the end of the year. In Nicaragua, it is not possible to calculate the situation of violence due to the censorship applied to information on crime in recent years.
- 73- Chile has been one of the countries with the lowest violent deaths in Latin America. The existing criminality was concentrated in robberies, thefts, and other crimes against property, but committed with a very low lethality, so the country presented enviable rates of around 3 homicides per hundred thousand inhabitants. That rate had slightly increased as of 2018, and in the "First national report of consummated homicides" presented by the government in mid-2023, a rate of 6.7 for the year 2022 was reported. The increase in crime and especially in

violent deaths became a matter of political concern, and the presence of the gang of Venezuelan origin known as the Aragua Train had particular relevance, due to the continuous highlighting in the press of their use of violence and the lethality they provoked. By the year 2023, a reduction is estimated that could place the rate at around 5 deaths per hundred thousand inhabitants.



CONCLUSIONS

- 74- In 2023, a discernible reduction in the overall levels of violence could be observed in Venezuela. This decrease in violence can be attributed to the reduction of disorganized criminal activities and the growing concentration and monopolization of violence by powerful criminal organizations. These criminal organizations are now focusing on specific niches of criminal opportunities, which has led to a decreased overall level of violence in the country.
- 75- The decrease in "disorganized" violence, which causes high lethality, has been reduced by the notable emigration of young people and the loss of opportunities for crime.
- 76- In recent years, there has been a reduction in the lethality of violence in certain parts of the country. This trend has been attributed to agreements made between criminal gangs regarding the distribution of tasks during business operations, as well as the demarcation of areas of operation, which has allowed for their expansion and consolidation. However, in municipalities where there are no such agreements or where criminal control has not been fully established, violent events continue to occur.
- 77- In spite of the significant outflow of millions of young people from the country in recent years, a segment of the youth population still remains outside the formal education system and lacks access to employment opportunities. This cohort is at a heightened risk of engaging in criminal activities, which could potentially lead to the emergence of new local gangs and the involvement of youth in organized criminal networks. Such a situation could have grave consequences as this group of young people may end up replacing the emigrated youth as the next generation of criminals.
- 78- The data shows a decrease in fatalities resulting from police encounters. However, the numbers are still alarmingly high. Furthermore, there is a lack of information regarding the methods utilized by law enforcement officials to distinguish between the lawful and unlawful use of force.
- 79- Although we observe a reduction in the number of violent deaths in the country, the estimated rate for Venezuela, at the national level, is higher than that of countries such as Mexico, Colombia, Brazil, being only surpassed by Ecuador and Honduras, which lead the figures of violence in the region. Despite a decrease in the overall number of violent fatalities in Venezuela, the national rate of violent deaths remains notably high, surpassing that of countries such as Mexico, Colombia, and Brazil. Only Ecuador and Honduras exhibit higher levels of violence within the region.
- 80- The absence of information caused by censorship and the lack of transparency in cases classified as death investigations, which make up the majority of violent deaths, combined with the high number of deaths resulting from police intervention, creates uncertainty about the true level of violence and crime in the country. This uncertainty prevents a proper interpretation of the situation and impedes the development of effective public policies.
- 81- Although there is no public information that allows monitoring indicators of the effectiveness of the management of the Public Ministry about the crime of sexual abuse of children and adolescents, we recognize the value of police action and the administration of justice in the prosecution and legal punishment of crimes of sexual abuse, cruel treatment, negligence, among others. However, there are no known institutional measures for the safeguarding and comprehensive protection of victims, nor about the increase of public prevention programs and

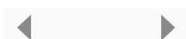
services, for the timely attention to the vulnerable population and not only act when the damage, aggression, and death have already occurred.

- 82- Gender violence remains invisible due to the lack of official information in which public agencies document cases, which would allow the identification of risk factors and the necessary protection services and resources. On the other hand, a real difficulty is the lack of specialized training for the proper registration of cases of femicides, trafficking, sexual exploitation, and injuries, since as long as criteria and indicators with disaggregated data are not established, with a gender approach and from a human rights perspective, it will only be possible to count on scattered, inaccurate and unreliable data to know the nature of violence against women in Venezuelan society.
- 83- The victimization of women has considerable consequences and impacts on society. The deaths of women due to femicides imply orphanhood, exclusion, and abandonment of the children in their care; women survivors of personal injuries, rapes, and threats assume the challenge of facing the damages, injuries, and threats without support programs, with their resources and without services or opportunities for protection and development. In the context of deprivation, poverty, and structural violence typical of the complex humanitarian emergency that the country is experiencing, most of the women who have suffered violence continue to assume their responsibilities as mothers, heads of households, and responsible for the care and protection of their families.
- 84- The rate of self-inflicted violence in Venezuela fluctuates with the ups and downs of the humanitarian crisis and its impact on people, as well as the various risk factors associated with such behavior. It is important to note that without significant changes to the country's economic and political institutions, and improvements in living conditions, mental health and emotional stability for the majority of the population will be difficult to achieve. Furthermore, unless public policies on the prevention and control of self-inflicted violence are implemented, this behavior will continue to be a public health issue and a cause for concern.
- 85- The decrease in occurrences and prevalence of fatalities caused by violence is crucial and beneficial for the welfare and fundamental freedom of the public. Nevertheless, the rate of 26.8 casualties per one hundred thousand individuals persists to be alarmingly high and continues to rank among the highest in both the continent and the world.



Economy And Business

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VENEZUELA >

Venezuela experiences an economic recovery in times of electoral uncertainty

National GDP is expected to grow by 4.2% in 2024 and oil production now exceeds 820,000 barrels per day after years of catastrophic figures



People at a bar in Caracas (Venezuela).
GABY ORAA (REUTERS)

ALONSO MOLEIRO

Caracas - JUL 22, 2024 - 06:16 EDT



In an election year [of uncertain outcome](#), Venezuela has experienced some economic improvement after years of financial difficulties. In its latest study, the research firm Ecoanalítico — widely consulted by the specialized media to analyze the behavior of the economy due to the lack of data from the Central Bank of Venezuela — calculated a growth rate of 4.2% for the nation for 2024. The trend is based on improvements in trade and services, driven by the oil and mining sector, in addition to the growth of sectors such as food processing and pharmaceutical production, against an economic backdrop of increasingly normalized relations between the Chavista administration and the private sector.

The energy sector, the country's economic engine, experienced an improvement compared to previous times. Although it is still far from the 2.5 million barrels it produced at the height [of the oil boom](#), today it produces 820,000 barrels, 70,000 more than a year ago and almost 20% more than two years ago. It is also true that the international sanctions imposed by the White House have prevented this figure from increasing even further. Asdrubal Oliveros, director of Ecoanalítico, asserts that the Nicolás Maduro administration has had some success in its strategy to curb the hyperinflation unleashed in 2018, and that this year it may be averaging 50%, after carrying out an unannounced and severe fiscal and economic adjustment. "The government has more money, it has been increasing its income, but public spending is still much lower than the levels of other years."

Oliveros now wonders about the exchange rate stability of these few months, and fears that the political tensions that may arise will produce some type of adjustment due to the overvaluation of the exchange rate, with its corresponding inflationary impact. Econalítico's calculations tend to resemble those of other economists, who predict growth for the country and rule out the development of a new static agenda. "What is at stake in Venezuela [in these elections](#) may be the speed with which the country can emerge from the crisis," says Asdrúbal Oliveros.

The areas of economic growth that were observed are not regular or widespread, but rather focus on very specific areas of the map, with a particular impact on the Caracas-Valencia axis, somewhat less in the Zuliana region, Puerto la Cruz, the island of Margarita and perhaps Barquisimeto. Dense areas of inner Venezuela are still mired in economic depression and a serious crisis of public services. Income poverty in Venezuela currently affects 85% of the population, more than double its average in previous decades.

Other analysts, however, consider that these positive figures might be satisfactory in any other economic context, but that they are insufficient for an economy like Venezuela's, urgently in need of double-digit growth for several years in order to return to what it once was. Venezuela's industries are largely idle, its oil sector is damaged, its market greatly reduced by the diaspora and the destruction of the population's purchasing power. And the traditional engines of an economy like the Venezuelan one, construction and

manufacturing, are practically absent from the growth map, or just have a token presence.



Machinery for oil extraction in operation on the shores of Lake Maracaibo, in November 2023.
GABY ORAA (BLOOMBERG)

Despite the unease about the economy, short and medium-term expectations for the Venezuelan economy are positive, and could even become optimal, according to all economic observers, in the event of a transition to democracy that enables the country to reestablish, without sanctions, its relations with the international financial community, accessing credits and loans to undertake reconstruction.

The improvement of the economy could also materialize if Maduro retains power, says Ecoanalítico, although it would be more modest, in his opinion. It is likely that the Chavista administration will do everything possible to raise

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capital and obtain exploration licenses, looking for spaces to negotiate and be accepted in the financial community. The impact, however, would be much more limited in terms of inflation and growth.



A man rests in the streets of Caracas, on June 5.
ARIANA CUBILLOS (AP)

“The starting point to evaluate the power of the growth of the Venezuelan economy is the quality of the electoral result,” says Luis Oliveros, dean of the School of Economics at the Metropolitan University. “Many things depend on that. In the hands of Nicolás Maduro I see the economy growing as well, not as it would grow if the opposition were to take power, but I do believe that oil production can continue to increase in a context in which sanctions remain flexible and individual licenses are granted for the exploitation of the Venezuelan oil fields. The problem is what happens if the electoral results are

not robust, [if things do not go well](#), if sanctions are toughened and the international community closes the door to Venezuela,” says the economist.

“Wages for work in 2024 end up representing barely 10% of GDP, when in a year like 2010 it exceeded 40% of the total economy,” explains the economist Rodrigo Cabezas, professor at the University of Zulia and former minister of finance, to illustrate the destruction of the value of labor. “GDP growth during 2022-2024 is not only moderate compared to the loss of 75% of the total economy in the Maduro years, but it is also very unequal by sector.”

Cabezas is not so optimistic when evaluating the future of Venezuela in the hands of Nicolás Maduro. “It would aggravate the Venezuelan crisis. The slight relief to the economy, as a result of U.S. licenses for oil production and increased imports, would come to a standstill. The truth is that sustainable economic growth is only possible with a political change that recovers the levels of investment necessary to grow.”

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WORLD NEWS

Major power outage hits Venezuela’s capital, with Maduro government blaming ‘sabotage’



1 of 13 | A man lights a candle in his shop during a blackout in Caracas, Venezuela, Friday, At [Read More](#)

Updated 6:15 PM PST, August 30, 2024

CARACAS, Venezuela (AP) — Venezuelans spent most of Friday in the dark as a major outage knocked out power in the capital, Caracas, and several states.

President Nicolás Maduro’s government blamed the outage, which it said began about 4:50 a.m., on “electrical sabotage.”

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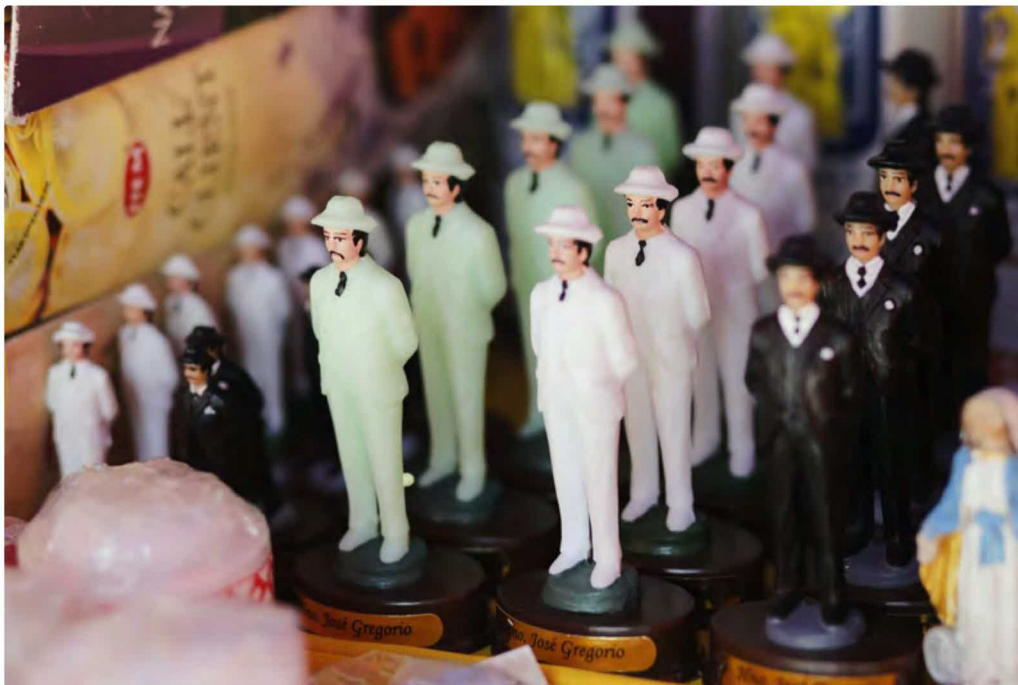
"Nobody will take away our peace and tranquility of the Venezuelan people," Freddy Nanez, the communications minister, wrote in a message shared with journalists on Telegram.

Nanez said in a voice message on Telegram that all 24 of Venezuela's states had been at least partially impacted. He characterized the outage as a "desperate" attempt by Maduro's opponents to violently oust the president.

"The entire national government has been activated to overcome this new aggression," he said.

Venezuelans awoke Friday to a major power outage in the capital, Caracas, and several states. President Nicolas Maduro's government blamed the outage, which began about 4:50 a.m., on "electrical sabotage." (AP Video/Juan Arraez)

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Venezuela's Maduro takes new oath amid protests and international rebuke

By nightfall, power had been restored in many parts of the capital after a day of sporadic outages. Maduro, in a Friday evening appearance on state TV, thanked Venezuelans for their patience after a chaotic day that saw businesses shutter, hospitals rely on backup generators and the closure of Caracas' subway leave tens of thousands of people stranded.

Venezuela in 2019, during a period of political unrest, suffered from [regular power outages](#) that the government almost always blamed on its opponents, but that energy experts said were the result of brush fires damaging transmission lines and poor maintenance of the country's hydroelectric infrastructure.

Many of the energy problems have subsided as the South American nation's economy has stabilized, high inflation has eased and a de facto dollarization has reduced shortages of imported goods.

Still, following [last month's contested presidential election](#), officials are quick to blame opponents for even minor disruptions. That was the case on Tuesday, when a brownout affected Caracas and several central states.

"This is a constant strategy of the opposition, the enemies of this country, to impact the population," Diosdado Cabello, the newly appointed interior minister who is believed to be the second most powerful man in the country, said after the earlier outage.

A bakery worker adjusts the shop during a blackout in Caracas, Venezuela, Friday, Aug. 30

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Residents of the capital were taking Friday's disruption in stride. Traffic during the normally busy rush hour was lighter than usual and some people complained about being unable to communicate with family members due to a lack of cellphone service.

VZ Vacatur_0458

Alejandra Martinez, a 25-year-old salesclerk, said she noticed the power went out when a fan stopped working. "I thought the power would come back and I went back to sleep," she said while trying to catch a bus to work as dawn broke over Caracas. "But when I woke up, I realized it was an outage."

Commuters walk during a blackout in Caracas, Venezuela, early Friday, Aug. 30

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Venezuela's power grid relies heavily on the Guri Dam, a giant hydroelectric power station that was inaugurated in the late 1960s. The electrical system has been burdened by poor upkeep, a lack of alternative energy supplies and a drain of engineering talent as an estimated 8 million Venezuelan migrants have fled economic misery in recent years,

The Persistence of the Venezuelan Migrant and Refugee Crisis



Photo: LUIS ACOSTA/AFP via Getty Images

Commentary by **Betilde Muñoz-Pogossian** and **Alexandra Winkler**

Published November 27, 2023

The outflow of refugees and migrants from Venezuela is the largest displacement crisis in the world, with almost 7.7 million migrants and refugees as of August 2023. This is an even greater number than the displacement of Syrians or Ukrainians outside of their countries. Despite these numbers, the Venezuelan migrant and refugee crisis, quite unfortunately, has climbed down the list of political and policy priorities, with fewer headlines in the media and sporadic policy conversations in Washington.

On one hand, there is a sense that this is the new normal for the region and that host countries in Latin America and the Caribbean will have to continue to manage the influx of 6.4 million Venezuelans and counting as best as they can. On the other hand,

it seems that neighboring countries across the region are willing to continue discussions on how best to address migration and forced displacement, but by removing the Venezuelan political focus from the center of the migrant and refugee discussion. The truth is, however, that this is a crisis that persists, and is likely to continue as long as the root causes are not addressed.

The efforts from the region to respond have been commendable thus far. They have varied but have generally followed a spirit of regional solidarity as well as pragmatism in the wake of large-scale Venezuelan inflows. Important regional innovations have also characterized this recent period. Receiving countries in the Americas have extended options to displaced Venezuelans to regularize their status (often with financial support and encouragement from the United States), and other policies have also sought to ensure access to the labor market, health services, and basic education.

Despite these efforts, the reality is that the region is still recovering from Covid-19 setbacks. Venezuelan migrants are now leaving countries like Colombia, Ecuador, Peru, and Chile, where they had originally migrated, due to low salaries, inflation, and lack of jobs, and are making the dangerous trek to reach the U.S. border. To understand the scale of these flows, going by the number of Venezuelans crossing the Darién Gap, the remote stretch of rainforest located between Colombia and Panama, a record 400,000 migrants have crossed during the first nine months of this year, according to Panamanian officials, and Venezuelans account for an estimated 60 percent of those, namely around 240,000, the most of any nationality. In search of the American dream, record numbers of migrants have also reached the U.S.-Mexico border, with 262,633 Venezuelans having crossed just in 2023, up from 189,520 in 2022.

The root causes that generated this unprecedented flow of migrants and refugees, including democratic breakdown, repression, and a lack of basic human rights, remain unchanged in Venezuela. There is also a deep economic crisis driven by devastating policies and a kleptocracy that has characterized the political landscape during the last 20 years. There are also challenges for Venezuelans in receiving countries, such as limited access to legal documentation, basic services, economic opportunities, and rising xenophobia. In addition, with the sometimes tumultuous

changes in governments in Latin America, Venezuelans prefer to leave receiving countries than to go through another national crisis. All these elements will remain throughout 2023, and therefore migration flows should be expected to continue, and even increase in 2024.

The Venezuelan migrant and refugee crisis is still a crisis, and it does not look like it will fix itself anytime soon. Here are some reasons why.

Venezuelans continue to migrate, even if it means risking their own lives.

The challenges faced by the 7,710,887 displaced Venezuelans throughout the world, and the stories of so many of them moving throughout the Americas demonstrates the danger they are in—especially when they attempt to cross the harrowing Darién Gap. This 575,000 hectares of jungle between Panama and Colombia has become one of the Western Hemisphere’s most pressing focal points of the crisis. According to the United Nations Office of the High Commissioner for Human Rights (UNHCR), migrants are exposed to “multiple human rights violations, including sexual violence, murders, disappearances, trafficking, robbery and intimidation by organized criminal groups.”

Despite this life-threatening journey—which can take almost 10 days—the numbers, as reported by Panamanian authorities, have gone up exponentially, from the almost unthinkable record of nearly 250,000 in 2022 to more than 330,000 in 2023. A gut-wrenching element is that one in five of these migrants were children. Regardless of initiatives such as the Humanitarian Parole for Venezuelans in the United States, and the Safe Mobility initiative (which was announced by the United States government to provide legal pathways to the United States for refugees and migrants in South and Central America) migrants continue to cross the jungle. In August alone, almost 82,000 people made the trek through the Darién, by far the largest single-month total on record. The United States has also tried joint efforts with the Colombian and Panamanian authorities to end the “irregular movement of people” by signing an ambitious agreement in April. But the countries’ expectations to end migration through the Darién Gap, reduce poverty, and create jobs and new legal pathways, all in just 60 days, only confirmed they were unrealistic from the start. Unless more comprehensive and impactful action to address this humanitarian crisis is prioritized,

also focusing on addressing the root causes, other political and criminal interests will continue to make a profit from the desperation of these Venezuelans.

Latin American countries cannot take on the burden of providing humanitarian assistance alone.

According to the International Organization for Migration and UNHCR's Regional Refugee and Migrant Response Plan (RMRP), by the end of 2023, it is projected that there will be 6.83 million Venezuelan refugees and migrants in Latin America, with over 5 million of them in need of humanitarian assistance. This is simply too large a number for a region that has not recovered from preexisting social inequalities that Covid-19 worsened, or structural problems fueled by economic recession and political upheaval.

Although Latin America has been an example of migrant integration with its open-door policy from countries like Colombia, this year, more than 4 million displaced Venezuelans throughout the region cannot fully access food, shelter, healthcare, education and formal employment, according to the Regional Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela (R4V) platform. Under these conditions, Venezuelans in receiving countries with jobs in the informal labor market will have a harder time becoming self-sufficient.

For example, according to the Jesuit Refugee Service in Chile, almost 70,000 Venezuelans have left Chile since 2021. The high cost of living and lack of economic opportunities are among the top reasons for leaving the country. In the case of Colombia, while no official data is available on the number of Venezuelans with temporary protection status (TPS) who have migrated, many of those going to the United States say they decided to leave Colombia because they did not earn enough to support their families. Considering almost all countries in Central America and Mexico require visas for Venezuelans, the only viable option for migrants is to continue heading north.

With the Biden administration's announcement redesignating Venezuela as continuing to be eligible for TPS for all who arrived in the United States before July 31, 2023, and with over 472,000 potentially benefiting from the measure and quickly

allowing them to work legally, the magnetic pull north continues to be a factor. A recent more restrictive measure, however, to resume removals of Venezuelans at the border who do not have a legal basis to remain in the United States may serve to slow down the growth in numbers. This move also sheds light on what seems to be continued quiet U.S. negotiations with Venezuela, suggesting a sense of normalcy is being sought and that indicate that the country is “safe enough” to deport its citizens back to the undemocratic regime that forced them to leave. After the announcement, between October 18 and 23, the United States has already deported over 220 Venezuelans in two flights, and they were alarmingly received in country by Maduro’s security and intelligence forces: SEBIN, PNB and GNB.

The bottom line here is that there is an urgent need for more international support. Only 12 percent of the \$1.72 billion the R4V requested for the 2023-2024 Regional Refugee and Migrant Response Plan has been collected. In 2022, that number was 27 percent, confirming that the lack of funds this year is directly proportional to the reduced attention this crisis has across the international community. Without a doubt, humanitarian aid is critical to ease Venezuelan suffering across the region. Although the 2.7 billion dollars that the U.S. government has provided since 2017 has been very generous, it is unfortunately not enough to support the Venezuelans who have had to leave their country nor to address the underlying conditions that caused them to migrate in the first place. The Venezuelan migrant and refugee crisis is probably the most underfunded displacement crisis in the world, even beyond the Rohingya or the South Sudanese.

The repercussions of this migration crisis are also being felt in cities across the United States. The fact that the situation has worsened is evidenced by recent declarations by New York mayor Eric Adams who has said that the ongoing migrant crisis “will destroy New York City.” Adams said 110,000 asylum seekers have passed through New York city since April 2022 and the issue is creating a 12 billion-dollar budget deficit. Other cities such as Chicago and Washington, D.C. are also reaching breaking points. Despite efforts from mayors to accommodate Venezuelan migrants, city shelters, police stations, and aid services are at maximum capacity. Hopefully all authorities, especially at the state and local level, can find longer-term solutions, such as requesting an increase in federal funding to attend to this influx, expediting

mechanisms to grant work authorizations so that migrants can escape informal labor, and advocating for a more permanent extension of temporary protective status for all Venezuelans.

The longer the Maduro regime stays in power, the more people will flee.

Opposition primaries held on October 22, with the participation of over 2.3 million people, show that Venezuelans have not lost hope in the electoral route to regain democracy in Venezuela, especially when the candidate María Corina Machado won with over 90 percent of the votes. Over 132,000 votes came from the powerful force of the Venezuelan diaspora. If the diaspora is considered as a "state," Venezuelans abroad are in first place in participation in percentage terms (37.35 percent), well above the national average (12.83 percent) placing the diaspora among the five “electoral states” with the highest participation in terms of absolute numbers. This amply demonstrates that allowing migrants and refugees to register to vote will be an important condition to enable free and fair elections in 2024. Even though the U.S. administration agreed to broadly lift sanctions on the oil sector in exchange for democratic conditions for the 2024 electoral process, the regime still needs to keep their part of the deal. Unfortunately, today, that seems far-fetched when Maduro is calling the primaries a fraud and the Supreme Tribunal is opening investigations to persecute the members of the National Primary Committee who organized the event.

If no indication of regime change seems in sight and the 2024 presidential elections are not free or fair, upticks in migration should be expected, as Venezuelans will continue to leave the country in search of better opportunities. Therefore, it is critical not to overlook this migrant crisis nor normalize it, as it is evidence of the persistence of the democratic and economic breakdown in this country, which continues to be a threat to the stability of the region and the world.

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The views expressed are those of the authors and do not represent official positions of the Organization of American States (OAS).

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Tags

Americas, Human Rights, Humanitarian Assistance, and Conflict and Humanitarian Crises

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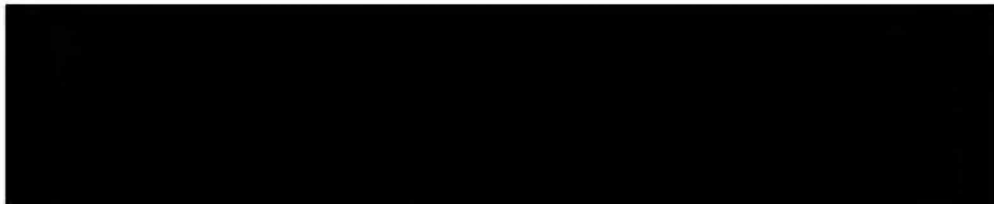
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Decision Document

USCIS Notice: Extension of the 2023 Designation of Venezuela for Temporary Protected Status.

ANM

Approve. (1) Extend the 2023 Designation of Venezuela for TPS for 18 months, (2) approve the notice for formal submission to the Office of Information and Regulatory Affairs, (3) direct an appropriate ESEC official to use the Federal Register Signature Card to electronically sign the notice for publication in the *Federal Register*, and (4) approve the consolidation of filing processes such that all eligible Venezuela TPS beneficiaries may obtain TPS through the same extension date of October 2, 2026.







1-10-25

Date.

Federal Register

Vol. 90, No. 18

Wednesday, January 29, 2025

Presidential Documents

Title 3—

Proclamation 10886 of January 20, 2025

The President

Declaring a National Emergency at the Southern Border of the United States

By the President of the United States of America

A Proclamation

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby proclaim:

America's sovereignty is under attack. Our southern border is overrun by cartels, criminal gangs, known terrorists, human traffickers, smugglers, unvetted military-age males from foreign adversaries, and illicit narcotics that harm Americans, including America.

This invasion has caused widespread chaos and suffering in our country over the last 4 years. It has led to the horrific and inexcusable murders of many innocent American citizens, including women and children, at the hands of illegal aliens. Foreign criminal gangs and cartels have begun seizing control of parts of cities, attacking our most vulnerable citizens, and terrorizing Americans beyond the control of local law enforcement. Cartels control vast territories just south of our southern border, effectively controlling who can and cannot travel to the United States from Mexico. Hundreds of thousands of Americans have tragically died from drug overdoses because of the illicit narcotics that have flowed across the southern border.

This assault on the American people and the integrity of America's sovereign borders represents a grave threat to our Nation.

Because of the gravity and emergency of this present danger and imminent threat, it is necessary for the Armed Forces to take all appropriate action to assist the Department of Homeland Security in obtaining full operational control of the southern border.

To protect the security and safety of United States citizens, to protect each of the States against invasion, and to uphold my duty to take care that the laws be faithfully executed, it is my responsibility as President to ensure that the illegal entry of aliens into the United States via the southern border be immediately and entirely stopped.

As Commander in Chief, I have no more solemn duty than to protect the American people.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by the authority vested in me by the Constitution and the laws of the United States of America, including sections 201 and 301 of the National Emergencies Act (50 U.S.C. 1601 *et seq.*), hereby declare that a national emergency exists at the southern border of the United States, and that section 12302 of title 10, United States Code, is invoked and made available, according to its terms, to the Secretaries of the military departments concerned, subject to the direction of the Secretary of Defense. To provide additional authority to the Department of Defense to support the Federal Government's response to the emergency at the southern border, I hereby declare that this emergency requires use of the Armed Forces and, in accordance with section 301 of the National Emergencies Act (50 U.S.C. 1631), that the construction authority provided in section 2808 of

title 10, United States Code, is invoked and made available, according to its terms, to the Secretary of Defense and, at the discretion of the Secretary of Defense, to the Secretaries of the military departments. I hereby direct as follows:

Section 1. *Deployment of Personnel and Resources.* The Secretary of Defense, or the Secretary of each relevant military department, as appropriate and consistent with applicable law, shall order as many units or members of the Armed Forces, including the Ready Reserve and the National Guard, as the Secretary of Defense determines to be appropriate to support the activities of the Secretary of Homeland Security in obtaining complete operational control of the southern border of the United States. The Secretary of Defense shall further take all appropriate action to facilitate the operational needs of the Secretary of Homeland Security along the southern border, including through the provision of appropriate detention space, transportation (including aircraft), and other logistics services in support of civilian-controlled law enforcement operations.

Sec. 2. *Additional Physical Barriers.* The Secretaries of Defense and Homeland Security shall immediately take all appropriate action, consistent with law, including 10 U.S.C. 2214, to construct additional physical barriers along the southern border. To the extent possible, the Secretaries of Defense and Homeland Security shall coordinate with any Governor of a State that is willing to assist with the deployment of any physical infrastructure to improve operational security at the southern border.

Sec. 3. *Unmanned Aerial Systems.* The Secretary of Transportation and the Federal Communications Commission shall, consistent with applicable law, consider waiving all applicable Federal Aviation Administration and Federal Communications Commission regulations or policies, respectively, that restrict the Department of Homeland Security's ability to counter unmanned aerial systems within 5 miles of the southern border.

Sec. 4. *Revision of Policies and Strategies.* The Secretary of Defense and the Secretary of Homeland Security, in consultation with the Attorney General, shall take all appropriate action, consistent with law, to prioritize the impedance and denial of the unauthorized physical entry of aliens across the southern border of the United States, and to ensure that use of force policies prioritize the safety and security of Department of Homeland Security personnel and of members of the Armed Forces.

Sec. 5. *Revocation.* Proclamation 10142 of January 20, 2021 (Termination of Emergency With Respect to the Southern Border of the United States and Redirection of Funds Diverted to Border Wall Construction), is hereby revoked.

Sec. 6. *Reporting Requirement.* (a) Within 30 days of the date of this proclamation, the Secretary of Defense shall submit to the President, through the Homeland Security Advisor, a report outlining all actions taken to fulfill the requirements and objectives of this proclamation; and

(b) Within 90 days of the date of this proclamation, the Secretary of Defense and the Secretary of Homeland Security shall submit a joint report to the President about the conditions at the southern border of the United States and any recommendations regarding additional actions that may be necessary to obtain complete operational control of the southern border, including whether to invoke the Insurrection Act of 1807.

Sec. 7. *General Provisions.* (a) Nothing in this proclamation shall be construed to impair or otherwise affect:

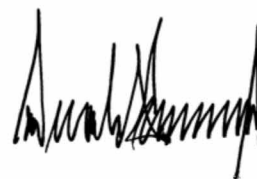
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This proclamation shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This proclamation is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of January, in the year of our Lord two thousand twenty-five, and of the Independence of the United States of America the two hundred and forty-ninth.



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**U.S. Citizenship
and Immigration
Services**

**Refugee, Asylum and
Int'l Operations
STAR Research Branch**

**Temporary Protected Status (TPS) Considerations
Bolivarian Republic of Venezuela
August 2024¹**

Overview

Venezuela has been impacted by “a complex, serious and multidimensional humanitarian crisis.”² As *The Associated Press* reported in mid-July 2024, “a global drop in oil prices, government mismanagement and widespread corruption pushed the country into the political, social and economic crisis that has marked the entirety of” President Nicolás Maduro’s 11 years in power.³ The crisis has reportedly disrupted “every aspect of life” in Venezuela; as *The New Humanitarian* reported in early July 2024, “Basic services like electricity, internet access, and water are patchy; malnutrition is on the rise; the healthcare system has collapsed; and children receive poor or no education. Inflation rates are also among the highest in the world.”⁴ According to *The Associated Press*, the country’s “complex crisis” has pushed Venezuelans into “poverty, hunger, poor health, crime, desperation and migration.”⁵ Moreover, Venezuelan President Nicolás Maduro’s declaration of victory in the July 28, 2024 presidential election—which has been contested as fraudulent by the opposition—“has been followed by yet another sweeping crackdown on dissent.”⁶

Venezuela has experienced the “largest exodus in Latin America’s recent history,” with over 7.7 million Venezuelans having left the country since 2014.⁷ HumVenezuela—“an independent

¹ The reporting period for this report is July 1, 2023, to August 12, 2024. Two exceptions to this are the “Political Crisis” and “Political Repression & Human Rights” sections, which have a reporting period of July 1, 2023, to August 26, 2024. The reporting period for these sections was extended to account for new developments related to the July 28, 2024 presidential election and its aftermath which arose during the drafting of the report.

² Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 730, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Aug. 20, 2024).

³ Regina Garcia Cano, Many couples in troubled Venezuela are breaking up as people make plans to migrate ahead of election, *The Associated Press*, Jul. 18, 2024, available at: <https://apnews.com/article/venezuela-election-maduro-economy-crisis-relationships-love-a2ccff116ea52ea742e03ebd294dbd3> (last visited Aug. 20, 2024).

⁴ Iván Reyes, As election looms, Venezuelans see-saw between hope and fear, *The New Humanitarian*, Jul. 8, 2024, available at: <https://www.thenewhumanitarian.org/photo-feature/2024/07/08/election-looms-venezuela-see-saw-between-hope-and-fear> (last visited Aug. 20, 2024).

⁵ Regina Garcia Cano, As Maduro shifts from migration denier to defender, Venezuelans consider leaving if he is reelected, *The Associated Press*, updated May 29, 2024, available at: <https://apnews.com/article/venezuela-election-migrants-maduro-9ba01c2cd7246adb9369bf69941d986a> (last visited Aug. 20, 2024).

⁶ Sergio Martínez-Beltrán and Marian Carrasquero, Venezuelans in US anxiously watch home crisis, brace for new migration surge, *Morning Edition, National Public Radio (NPR)*, Aug. 12, 2024, available at: <https://www.npr.org/2024/08/11/nx-s1-5066867/venezuela-maduro-election-migration-usborder-immigration> (last visited Aug. 12, 2024).

⁷ Astrid Suárez, Nayara Batschke, Teresa Medrano, and, Gisela Salomon, Forced to emigrate, Venezuelans living abroad hope for change — and to eventually return home, *The Associated Press*, updated Jul. 25, 2024, available at: <https://apnews.com/article/venezuela-election-migrants-maduro-opposition-hope-f37b6b4960d50b047632e96b60225ea7> (last visited Aug. 20, 2024).



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platform of civil society organizations monitoring the humanitarian emergency”⁸—reported in November 2023 that 20.2 million people (out of a total estimated population of 28.8 million) had humanitarian needs.⁹

Economic Crisis

Venezuela “has faced a long-running economic crisis,”¹⁰ with its economy suffering from “a prolonged meltdown marked by triple-digit inflation and a mass exodus of millions of migrants seeking better prospects elsewhere.”¹¹ In early July 2024, *Reuters* noted that “Over the last 10 years, gross domestic product in Venezuela has declined by some 73%.”¹²

Venezuela had “an average annual growth of 4% in 2021 to 2023,” according to “an economist at the Venezuelan economic firm, Ecoanalitica.”¹³ In late July 2024, the Spanish media outlet *El País* reported that Venezuela had “experienced some economic improvement” in 2024 following “years of financial difficulties.”¹⁴ However, it also noted that, per some analysts, this improvement is “insufficient for an economy like Venezuela’s, urgently in need of double-digit growth for several years in order to return to what it once was.”¹⁵ Furthermore, in a late June 2024 report—covering the period from May 2023 through April 2024—the Office of the High Commissioner for Human Rights (OHCHR) stated:

Despite official figures indicating a five per cent gross domestic product growth in 2023, economic challenges such as high inflation and devaluation of Venezuelan currency, the bolivar, persisted, and continued to restrict purchasing powers, disproportionately affecting groups and communities in vulnerable situations,

⁸ World Report 2024 - Venezuela, Human Rights Watch, Jan. 11, 2024, available at: <https://www.hrw.org/world-report/2024/country-chapters/venezuela> (last visited Aug. 20, 2024).

⁹ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 6, 9, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 20, 2024).

¹⁰ Mayela Armas, Venezuela's government doubles down on inflation control ahead of election, *Reuters*, Feb. 28, 2024, available at: <https://www.reuters.com/world/americas/venezuelas-government-doubles-down-inflation-control-ahead-election-2024-02-28/> (last visited Aug. 20, 2024).

¹¹ Mayela Armas, Venezuela economy grew 5% in 2023, will reach 8% this year-Maduro, *Reuters*, Jan. 15, 2024, available at: <https://www.reuters.com/world/americas/venezuela-economy-grew-5-2023-will-reach-8-this-year-maduro-2024-01-15/> (last visited Aug. 20, 2024).

¹² Mariela Nava, In Venezuela, hunger stalks presidential election, *Reuters*, Jul. 9, 2024, available at: <https://www.reuters.com/world/americas/venezuela-hunger-stalks-presidential-election-2024-07-09/> (last visited Aug. 20, 2024).

¹³ Why Venezuela is no longer in freefall, *The Indicator* from Planet Money, National Public Radio (NPR), May 8, 2024, available at: <https://www.npr.org/transcripts/1197964529> (last visited Aug. 20, 2024).

¹⁴ Alonso Moleiro, Venezuela experiences an economic recovery in times of electoral uncertainty, *El País* (Spa.), Jul. 22, 2024, available at: <https://english.elpais.com/economy-and-business/2024-07-22/venezuela-experiences-an-economic-recovery-in-times-of-electoral-uncertainty.html> (last visited Aug. 20, 2024).

¹⁵ Alonso Moleiro, Venezuela experiences an economic recovery in times of electoral uncertainty, *El País* (Spa.), Jul. 22, 2024, available at: <https://english.elpais.com/economy-and-business/2024-07-22/venezuela-experiences-an-economic-recovery-in-times-of-electoral-uncertainty.html> (last visited Aug. 20, 2024).



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including the urban poor, those living in rural areas, and particularly women from these populations.¹⁶

The New Humanitarian reported in late June 2024 that rates of inflation in Venezuela “were until recently among the highest in the world.”¹⁷ Inflation was 234% in 2022, and just under 190% in 2023—both of which were amongst the highest rates of inflation in the world during those years.¹⁸ In late February 2024, *Reuters* reported that “Annual inflation has not been under 100% since 2014.”¹⁹ Yet, the media outlet noted in late July 2024 that the Venezuelan government “has had some success in curbing formerly sky-high inflation,” with annual inflation falling “to around 50% over the last year as the government restricted credit, held the exchange rate steady and curbed public spending.”²⁰ However, *Reuters* also reported that “current inflation reductions sometimes are not visible to the average consumer,” while “workers say their salaries have not caught up with high prices for food and other goods.”²¹

In late July 2024, *The Associated Press* reported that Venezuela’s monthly minimum wage of 130 bolivars had “not changed since March 2022, when it was equivalent to about \$30. Variations in currency exchange rates have now reduced it to \$3.50.”²² Moreover, *BBC News* reported in late July 2024 that, “according to Caracas-based consultancy Ecoanalítica, about 65%

¹⁶ Situation of human rights in the Bolivarian Republic of Venezuela, Office of the United Nations High Commissioner for Human Rights (OHCHR), Jun. 28, 2024, pg. 2, available at: <https://reliefweb.int/report/venezuela-bolivarian-republic/situation-human-rights-bolivarian-republic-venezuela-report-united-nations-high-commissioner-human-rights-ahrc5663-advance-unedited-version> (last visited Aug. 20, 2024).

¹⁷ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 20, 2024).

¹⁸ Mayela Armas, Venezuela economy grew 5% in 2023, will reach 8% this year-Maduro, *Reuters*, Jan. 15, 2024, available at: <https://www.reuters.com/world/americas/venezuela-economy-grew-5-2023-will-reach-8-this-year-maduro-2024-01-15/> (last visited Aug. 20, 2024); Mayela Armas, Venezuela's government doubles down on inflation control ahead of election, *Reuters*, Feb. 28, 2024, available at: <https://www.reuters.com/world/americas/venezuelas-government-doubles-down-inflation-control-ahead-election-2024-02-28/> (last visited Aug. 20, 2024); Venezuela's 2023 inflation hit nearly 190%, but December prices barely ticked up, *Reuters*, Jan. 12, 2024, available at: <https://www.reuters.com/world/americas/venezuelas-2023-inflation-hit-nearly-190-december-prices-barely-ticked-up-2024-01-12/> (last visited Aug. 20, 2024).

¹⁹ Mayela Armas, Venezuela's government doubles down on inflation control ahead of election, *Reuters*, Feb. 28, 2024, available at: <https://www.reuters.com/world/americas/venezuelas-government-doubles-down-inflation-control-ahead-election-2024-02-28/> (last visited Aug. 20, 2024).

²⁰ Mayela Armas, Venezuela inflation has cooled - but voters say they still can't make ends meet, *Reuters*, Jul. 23, 2024, available at: <https://www.reuters.com/world/americas/venezuela-inflation-has-cooled-voters-say-they-still-cant-make-ends-meet-2024-07-23/> (last visited Aug. 20, 2024).

²¹ Mayela Armas, Venezuela inflation has cooled - but voters say they still can't make ends meet, *Reuters*, Jul. 23, 2024, available at: <https://www.reuters.com/world/americas/venezuela-inflation-has-cooled-voters-say-they-still-cant-make-ends-meet-2024-07-23/> (last visited Aug. 20, 2024).

²² Regina Garcia Cano, Venezuelans turn to odd jobs and gambling to stretch meager wages they hope will grow after election, *The Associated Press*, updated July 24, 2024, available at: <https://apnews.com/article/venezuela-presidential-election-maduro-crisis-machado-edmundo-4c7f83a5a44a6d80f12d8cad8b67b026> (last visited Aug. 20, 2024).



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of Venezuelans earn less than \$100 a month, while only eight or nine million of the country's 28 million people can be seen as consumers with actual purchasing power."²³

As *BBC News* explained in late July 2024, "an informal dollarization has taken place" in Venezuela, with U.S. dollars:

increasingly the payment method of choice in retail transactions - at least, for those who have access to them.

That has stabilised the economy - but it has brought with it a social cost.

Residents in the capital, Caracas, now find themselves subject to a two-tier economy. While US dollars are fuelling a consumption boom in high-end shops and restaurants, those paid in bolívares feel increasingly excluded.²⁴

The New Humanitarian reported in late June 2024 that Venezuela's "de facto dollarisation has failed to boost the economy,"²⁵ while a *National Public Radio* (NPR) economic podcast stated in early May 2024 that "De facto dollarization is basically just a Band-Aid over the core problem of the declining currency."²⁶ In a mid-February 2024 statement, the UN Special Rapporteur on the right to food commented that "the informal dollarization of the Venezuelan economy further weakens households' purchasing power."²⁷ In addition, in September 2023, the Congressional Research Service (CRS) reported that "Income inequality has increased significantly, particularly after the government eased restrictions on access to dollars. Since that time, the income gap between those with and without access to dollars has widened sharply."²⁸

²³ Robert Plummer, Venezuela's economy runs on oil - and music, *BBC News*, Jul. 28, 2024, available at: <https://www.bbc.com/news/articles/c51y9r0jgxn0> (last visited Aug. 20, 2024).

²⁴ Robert Plummer, Venezuela's economy runs on oil - and music, *BBC News*, Jul. 28, 2024, available at: <https://www.bbc.com/news/articles/c51y9r0jgxn0> (last visited Aug. 20, 2024).

²⁵ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 20, 2024).

²⁶ Why Venezuela is no longer in freefall, *The Indicator* from Planet Money, *National Public Radio* (NPR), May 8, 2024, <https://www.npr.org/transcripts/1197964529> (last visited Aug. 20, 2024).

²⁷ End of Mission Statement; UN Special Rapporteur on the right to food by Mr. Michael Fakhri; Visit to Venezuela (Bolivarian Republic of), 1-14 February 2024, Office of the High Commissioner for Human Rights (OHCHR), Feb. 14, 2024, pg. 2, available at: <https://www.ecoi.net/en/file/local/2104669/20240214-eom-statement-venezuela-sr-food-en.pdf> (last visited Aug. 20, 2024).

²⁸ Clare Ribando Seelke, Venezuela: Political Crisis and U.S. Policy, *Congressional Research Service* (CRS), updated Sep. 1, 2023, pg. 1, available at: <https://crsreports.congress.gov/product/pdf/IF/IF10230> (last visited Aug. 20, 2024).



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The Associated Press reported in late July 2024 that “80% of the population lives in poverty.”²⁹ The 2023 National Survey on Living Conditions (ENCOVI), published by a Venezuelan university in March 2024, found that the rate of income poverty—after declining in 2022—“remained almost intact in 2023: 82.8% of households suffer from income poverty. Of the total, 50.5% suffer from extreme income poverty.”³⁰

Health Crisis

The New Humanitarian has characterized the “collapse of the healthcare system” as “one of the most obvious and drastic aspects of Venezuela’s humanitarian crisis.”³¹ In a November 2023 report, the European Union Agency for Asylum (EUAA) claimed that “Venezuela’s health system has been in a state of collapse for ‘years’ due to deterioration of infrastructure, lack of medical equipment, poor maintenance, lack of public services, deficiencies in the provision of medicines and medical supplies, and power and water cuts, in addition to corruption in the health sector, and underfunded and understaffed health centres.”³² Amnesty International reported in October 2023 that “health indicators have worsened” in Venezuela since the “collapse of the health system in 2016.”³³

In its annual report covering 2023, the Inter-American Commission on Human Rights (IACHR) stated that “millions of individuals are unable to access adequate health care” in Venezuela.³⁴ The IACHR also noted that Venezuela’s public health system had reportedly lost an estimated “70 percent of its capacity since 2016.”³⁵ When discussing Venezuela’s public health system in November 2023, HumVenezuela stated that “During a long period of defunding, destructuring and weakening, the system’s care services have been falling into a state of partial or complete

²⁹ Regina Garcia Cano, Venezuelans turn to odd jobs and gambling to stretch meager wages they hope will grow after election, *The Associated Press*, updated July 24, 2024, available at: <https://apnews.com/article/venezuela-presidential-election-maduro-crisis-machado-edmundo-4c7f83a5a44a6d80f12d8cad8b67b026> (last visited Aug. 20, 2024).

³⁰ Tony Frangie Mawad, *The ENCOVI Shows a Geographically Unequal Venezuela*, *Caracas Chronicles*, Mar. 13, 2024, available at: <https://www.caracaschronicles.com/2024/03/13/the-encovi-shows-a-geographically-unequal-venezuela/> (last visited Aug. 20, 2024).

³¹ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 21, 2024).

³² Venezuela - Country Focus, European Union Agency for Asylum (EUAA), Nov. 2023, pg. 33, available at: https://coi.euaa.europa.eu/administration/easo/PLib/2023_11_EUAA_COI_Report_Venezuela_Country_Focus.pdf (last visited Aug. 21, 2024).

³³ International Protection Needs of Venezuelan Nationals, Amnesty International, Oct. 2023, pg. 5, available at: <https://www.ecoi.net/en/file/local/2099475/AMR5373312023ENGLISH.pdf> (last visited Aug. 21, 2024).

³⁴ Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 731, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Aug. 21, 2024).

³⁵ Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 731, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Aug. 21, 2024).



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inoperability.”³⁶ Moreover, in 2023, nearly 70% “of the population that did use the system did not manage to obtain the necessary care or stopped using it due to the suspension or closure of services.”³⁷ HumVenezuela also reported that “In 2023, 4.2 million people with serious health problems did not receive medical care and 3.7 million did not receive medicines.”³⁸

Venezuela faces “persistent shortages and deficiencies in the supply of medicines, supplies, equipment and medical treatments.”³⁹ *The New Humanitarian* reported in late June 2024 that “Shortages of vital medicines, hospital beds, and equipment [...] are all too common across the country.”⁴⁰ The media outlet further reported that:

According to the NGO Convite, medicine shortages in general reached 28.4% by March 2024, and in at least two of the ten hospitals visited by the organisation, there was no treatment for six of the most common problems: diabetes, infectious respiratory diseases, diarrhoea, hypertension, depression, and seizures. [...]

In its latest survey, Médicos por la Salud, a network of doctors who monitor and document the health crisis, found that four in ten operating rooms nationwide no longer function. Shortages of surgical supplies were at 74%, and of emergency supplies at 37%. Patients undergoing simple surgery had to spend more than \$80 of their own money to buy the surgical supplies needed. Food insecurity and the lack of basic services also compound the healthcare crisis. For instance, four in ten hospitals can’t feed paediatric patients under two, while water shortages fuel the spread of bacteria and hinder water-dependent treatments such as dialysis.⁴¹

In November 2023, HumVenezuela reported that “The information collected from health unions, complaints from users and surveyed households show that, during 2023, 81% of beds in public

³⁶ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 37, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 20, 2024).

³⁷ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 37, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 21, 2024).

³⁸ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 39, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 21, 2024).

³⁹ Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 731, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Aug. 21, 2024).

⁴⁰ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 21, 2024).

⁴¹ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 21, 2024).



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hospitals were not operational,” while 77.6% of public hospitals “did not have continuous electricity and water.”⁴² In addition, “89.8% of blood banks were not operating, as well as 92.3% of laboratories.”⁴³

In March 2024, the U.S. Department of State’s Overseas Security Advisory Council (OSAC) reported that “Patients frequently must supply their own water, medication, and medical instruments to receive care, even at private hospitals and clinics.”⁴⁴ According to InSight Crime, millions of Venezuelans “suffering from illnesses and chronic diseases” reportedly “seek the medications and drugs they need from the informal economy.”⁴⁵

OHCHR reported in late June 2024 that “structural underfunding and understaffing” reportedly “continued to weaken” Venezuela’s health sector.⁴⁶ OHCHR referenced a report which indicated that, “between July and August 2023, 74.6 per cent of health centres nationwide lacked medical staff, and 73.5 per cent lacked nursing staff, thus affecting accessibility, quality and availability of healthcare.”⁴⁷ Furthermore, the IACHR has observed that “healthcare workers” in Venezuela “work under precarious conditions.”⁴⁸ In November 2023, EUAA reported that “Health workers lacked safe working conditions and living wages,” and were “subject to acts of violence, intimidation, and threats.”⁴⁹

⁴² Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 39, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 21, 2024).

⁴³ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 39, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 21, 2024).

⁴⁴ Venezuela Country Security Report, Overseas Security Advisory Council (OSAC), U.S. Department of State, last updated Mar. 26, 2024, available at: <https://www.osac.gov/Content/Report/34f99e62-2161-412d-bfeb-1e752539f6bf> (last visited Aug. 21, 2024).

⁴⁵ Venezuela Investigative Unit, Counterfeit Medicine Another Symptom of Venezuela’s Health Crisis, InSight Crime, Nov. 30, 2023, available at: <https://insightcrime.org/news/counterfeit-medicine-another-symptom-of-venezuelas-health-crisis/> (last visited Aug. 21, 2024).

⁴⁶ Situation of human rights in the Bolivarian Republic of Venezuela, Office of the United Nations High Commissioner for Human Rights (OHCHR), Jun. 28, 2024, pg. 2, available at: <https://reliefweb.int/report/venezuela-bolivarian-republic/situation-human-rights-bolivarian-republic-venezuela-report-united-nations-high-commissioner-human-rights-ahrc5663-advance-unedited-version> (last visited Aug. 20, 2024).

⁴⁷ Situation of human rights in the Bolivarian Republic of Venezuela, Office of the United Nations High Commissioner for Human Rights (OHCHR), Jun. 28, 2024, pg. 2, available at: <https://reliefweb.int/report/venezuela-bolivarian-republic/situation-human-rights-bolivarian-republic-venezuela-report-united-nations-high-commissioner-human-rights-ahrc5663-advance-unedited-version> (last visited Aug. 20, 2024).

⁴⁸ Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 731, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Aug. 21, 2024).

⁴⁹ Venezuela - Country Focus, European Union Agency for Asylum (EUAA), Nov. 2023, pg. 34, available at: https://coi.euaa.europa.eu/administration/easo/PLib/2023_11_EUAA_COI_Report_Venezuela_Country_Focus.pdf (last visited Aug. 21, 2024).



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Per a January 2024 article published in *The Lancet Global Health*, Venezuela has witnessed the re-emergence of “Several vaccine-preventable diseases.”⁵⁰ CRS stated in early September 2023 that “Previously eradicated diseases such as diphtheria and measles [...] have become a major concern.”⁵¹ OSAC reported in late March 2024 that “Mosquito control measures have deteriorated, and malaria cases have returned to areas that had not had cases for many years.”⁵² In its annual report covering 2023, the IACHR alleged that “the resurgence of preventable and infectious diseases [...] was compounded by the opacity of information and the lack of transparency of the State, which has not published the annual epidemiological bulletin for more than seven years.”⁵³ However, in its late June 2024 report, OHCHR highlighted the Venezuelan government’s “efforts to address infectious diseases through sensitization programmes across the national territory and strengthening of epidemiological surveillance capacities.”⁵⁴ OHCHR also mentioned that the “revamping of the vaccination programme, with the support of the United Nations International Child’s Emergency Fund (UNICEF), contributed to declaring Venezuela free of measles in November 2023.”⁵⁵

Food Insecurity

CRS reported in early September 2023 that “Food insecurity remains a challenge” in Venezuela, “mainly due to the excessive dollar-denominated price of food.”⁵⁶ *Reuters* reported in early July 2024 that, “Despite a recent economic recovery [...], many families are going hungry and

⁵⁰ Jenny Garcia, Stephane Helleringer, Gerardo Correac, and Maria Di Brienzac, Updated estimates of infant mortality in Venezuela, *The Lancet Global Health*, Volume 12, Issue 1, e25 - e27, Jan. 2024, available at: [https://www.thelancet.com/journals/langlo/article/PIIS2214-109X\(23\)00520-X/fulltext](https://www.thelancet.com/journals/langlo/article/PIIS2214-109X(23)00520-X/fulltext) (last visited Sep. 13, 2024).

⁵¹ Clare Ribando Seelke, Venezuela: Political Crisis and U.S. Policy, Congressional Research Service (CRS), updated Sep. 1, 2023, pg. 1, available at: <https://crsreports.congress.gov/product/pdf/IF/IF10230> (last visited Aug. 21, 2024).

⁵² Venezuela Country Security Report, Overseas Security Advisory Council (OSAC), U.S. Department of State, last updated Mar. 26, 2024, available at: <https://www.osac.gov/Content/Report/34f99e62-2161-412d-bfeb-1e752539f6bf> (last visited Aug. 21, 2024).

⁵³ Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 731-732, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Aug. 21, 2024).

⁵⁴ Situation of human rights in the Bolivarian Republic of Venezuela, Office of the United Nations High Commissioner for Human Rights (OHCHR), Jun. 28, 2024, pg. 4, available at: <https://reliefweb.int/report/venezuela-bolivarian-republic/situation-human-rights-bolivarian-republic-venezuela-report-united-nations-high-commissioner-human-rights-ahrc5663-advance-unedited-version> (last visited Aug. 20, 2024).

⁵⁵ Situation of human rights in the Bolivarian Republic of Venezuela, Office of the United Nations High Commissioner for Human Rights (OHCHR), Jun. 28, 2024, pg. 4, available at: <https://reliefweb.int/report/venezuela-bolivarian-republic/situation-human-rights-bolivarian-republic-venezuela-report-united-nations-high-commissioner-human-rights-ahrc5663-advance-unedited-version> (last visited Aug. 20, 2024).

⁵⁶ Clare Ribando Seelke, Venezuela: Political Crisis and U.S. Policy, Congressional Research Service (CRS), updated Sep. 1, 2023, pg. 1, available at: <https://crsreports.congress.gov/product/pdf/IF/IF10230> (last visited Aug. 22, 2024).



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depending on aid to feed themselves.”⁵⁷ The media outlet also indicated that Venezuela “suffers the second-highest level of hunger in South America,” with “Some 5.1 million people [...] not getting enough to eat.”⁵⁸ In a mid-February 2024 statement, the UN Special Rapporteur on the right to food reported that “Food insecurity, malnutrition and deterioration in livelihoods is cited as the primary cause for the mass migration out of the country.”⁵⁹

In late July 2024, *The Associated Press* reported that “the days of food shortages” in Venezuela were “virtually gone.”⁶⁰ Likewise, *The New Humanitarian* reported in late June 2024 that food scarcity had decreased in Venezuela,⁶¹ while HumVenezuela noted in November 2023 that “The availability of food in the country has been increasing, as domestic production and imports have been growing slightly.”⁶²

Yet, as *The Associated Press* noted in mid-February 2024, “Supply issues have been replaced by affordability ones.”⁶³ Venezuela reportedly had amongst the highest rates of food inflation in the world during 2023.⁶⁴ HumVenezuela reported in November 2023 that, in recent years, the lack of “economic resources required to purchase the amounts of food that each household needs on a daily basis has been the main cause of food inaccessibility for the majority of the Venezuelan

⁵⁷ Mariela Nava, In Venezuela, hunger stalks presidential election, Reuters, Jul. 9, 2024, available at: <https://www.reuters.com/world/americas/venezuela-hunger-stalks-presidential-election-2024-07-09/> (last visited Aug. 22, 2024).

⁵⁸ Mariela Nava, In Venezuela, hunger stalks presidential election, Reuters, Jul. 9, 2024, available at: <https://www.reuters.com/world/americas/venezuela-hunger-stalks-presidential-election-2024-07-09/> (last visited Aug. 22, 2024).

⁵⁹ End of Mission Statement; UN Special Rapporteur on the right to food by Mr. Michael Fakhri; Visit to Venezuela (Bolivarian Republic of), 1-14 February 2024, Office of the High Commissioner for Human Rights (OHCHR), Feb. 14, 2024, pg. 3, available at: <https://www.ecoi.net/en/file/local/2104669/20240214-eom-statement-venezuela-sr-food-en.pdf> (last visited Aug. 22, 2024).

⁶⁰ Regina Garcia Cano, Venezuelans turn to odd jobs and gambling to stretch meager wages they hope will grow after election, *The Associated Press*, updated July 24, 2024, available at: <https://apnews.com/article/venezuela-presidential-election-maduro-crisis-machado-edmundo-4c7f83a5a44a6d80f12d8cad8b67b026> (last visited Aug. 20, 2024).

⁶¹ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 22, 2024).

⁶² Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 27, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 22, 2024).

⁶³ Regina Garcia Cano, UN-backed food expert calls on Venezuela to tackle hunger and urges end to economic sanctions, *The Associated Press*, Feb. 14, 2024, available at: <https://apnews.com/article/venezuela-food-insecurity-hunger-malnutrition-un-maduro-afb4af4978c09cf0f3e54e1cfef981b5> (last visited Aug. 22, 2024).

⁶⁴ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 28, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 22, 2024); Venezuela Annual Country Report 2023 - Country Strategic Plan 2023 - 2025, World Food Programme (WFP), Apr. 2, 2024, pg. 8, available at: <https://reliefweb.int/report/venezuela-bolivarian-republic/venezuela-annual-country-report-2023-country-strategic-plan-2023-2025> (last visited Aug. 22, 2024).



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population.”⁶⁵ *The Associated Press* illustrated this dynamic in a mid-February 2024 article, reporting that “The average public employee earns a minimum wage of about \$3.60 plus bonuses of around \$100 every month, while private sector workers make \$202 a month on average. Neither is enough to buy food for a family of four.”⁶⁶ The media outlet also reported that Venezuelans, “particularly in rural areas, must cope with gasoline rationing, roads in poor condition and other transportation challenges that limit their ability to reach markets, grocery stores and other food supplies.”⁶⁷

The New Humanitarian reported that, in 2023, “86% of the population reported not having enough money to buy the food needed in their household,” while around 22% “went permanently hungry at times during the year.”⁶⁸ It also claimed that “chronic malnutrition is surging among children, leading to stunting, wasting, delayed cognitive development, and higher risks of illness more generally.”⁶⁹

According to the UN Special Rapporteur on the right to food, families in Venezuela have been “forced to use negative coping mechanisms such as reducing portion sizes, skipping meals, and buying less nutritious food items.”⁷⁰ HumVenezuela also discussed coping mechanisms used in Venezuela in November 2023:

In 2023, 91.6% of households used survival strategies to feed themselves, most of them by reducing their budget or increasing their workload in the face of higher spending levels. 41.1% had to combine several strategies, sacrificing other expenses, exhausting their livelihoods or resorting to various forms of consumption deprivation. [...]

⁶⁵ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 27, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 22, 2024).

⁶⁶ Regina Garcia Cano, UN-backed food expert calls on Venezuela to tackle hunger and urges end to economic sanctions, *The Associated Press*, Feb. 14, 2024, available at: <https://apnews.com/article/venezuela-food-insecurity-hunger-malnutrition-un-maduro-afb4af4978c09cf0f3e54e1cfef981b5> (last visited Aug. 22, 2024).

⁶⁷ Regina Garcia Cano, UN-backed food expert calls on Venezuela to tackle hunger and urges end to economic sanctions, *The Associated Press*, Feb. 14, 2024, available at: <https://apnews.com/article/venezuela-food-insecurity-hunger-malnutrition-un-maduro-afb4af4978c09cf0f3e54e1cfef981b5> (last visited Aug. 22, 2024).

⁶⁸ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 22, 2024).

⁶⁹ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 22, 2024).

⁷⁰ End of Mission Statement; UN Special Rapporteur on the right to food by Mr. Michael Fakhri; Visit to Venezuela (Bolivarian Republic of), 1-14 February 2024, Office of the High Commissioner for Human Rights (OHCHR), Feb. 14, 2024, pg. 2, available at: <https://www.ecoi.net/en/file/local/2104669/20240214-eom-statement-venezuela-sr-food-en.pdf> (last visited Aug. 22, 2024).



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At more extreme levels, 13.8% of the households reported that a member worked for food, and from 10.3% to 12.3%, the proportion that received donated or donated food increased. In 9.5% of households, at least one member migrated to obtain food; in 4%, expired food was purchased; in 3.5%, several members had to eat outside the home; and in 1.5%, sex was exchanged for food.⁷¹

The Venezuelan government “distributes subsidised food aid in what are called CLAP boxes.”⁷² Per the UN Special Rapporteur on the right to food, “Many families draw a lifeline from CLAP (Comités Locales de Abastecimiento y Producción) bags, a program devised in 2016 to address the food shortage in the formal supply chain. Initially conceived as an interim measure, it later became the strategic food distribution program.”⁷³ The UN Special Rapporteur stated in mid-February 2024 that, per the Venezuelan government, “7.5 million Venezuelan families receive a CLAP bag with basic food products at least once a month.”⁷⁴ However, the UN Special Rapporteur also highlighted “growing criticisms raised about the CLAP program, which include inconsistent delivery, infrequent supply in remote areas, as well as its lack of nutritional value and quality,” and commented that:

I have heard frequent concerns that CLAP bags are denied to individuals who are perceived to be critical or express alternative political opinions. Some beneficiaries suggest that CLAP bags are treated by authorities as a charitable handout rather than as part of the freedom from hunger, undermining the human dignity of those recipients. CLAP was well-intentioned as a temporary humanitarian relief by the government. But CLAP has become susceptible to political patronage and does not address the root causes of hunger and malnutrition in Venezuela or meet right-to-food standards.⁷⁵

⁷¹ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 26, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 22, 2024).

⁷² Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), The New Humanitarian, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 22, 2024).

⁷³ End of Mission Statement; UN Special Rapporteur on the right to food by Mr. Michael Fakhri; Visit to Venezuela (Bolivarian Republic of), 1-14 February 2024, Office of the High Commissioner for Human Rights (OHCHR), Feb. 14, 2024, pg. 3, available at: <https://www.ecoi.net/en/file/local/2104669/20240214-eom-statement-venezuela-sr-food-en.pdf> (last visited Aug. 22, 2024).

⁷⁴ End of Mission Statement; UN Special Rapporteur on the right to food by Mr. Michael Fakhri; Visit to Venezuela (Bolivarian Republic of), 1-14 February 2024, Office of the High Commissioner for Human Rights (OHCHR), Feb. 14, 2024, pg. 3, available at: <https://www.ecoi.net/en/file/local/2104669/20240214-eom-statement-venezuela-sr-food-en.pdf> (last visited Aug. 22, 2024).

⁷⁵ End of Mission Statement; UN Special Rapporteur on the right to food by Mr. Michael Fakhri; Visit to Venezuela (Bolivarian Republic of), 1-14 February 2024, Office of the High Commissioner for Human Rights (OHCHR), Feb. 14, 2024, pg. 3, available at: <https://www.ecoi.net/en/file/local/2104669/20240214-eom-statement-venezuela-sr-food-en.pdf> (last visited Aug. 22, 2024).



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Access to Basic Services (Including Electricity, Water, & Fuel)

The “breakdown in public services” represents another component of Venezuela’s crisis.⁷⁶ *The New Humanitarian* reported in late June 2024 that “Access to basic services has been highly deficient for years and shows little to no sign of improvement.”⁷⁷ *El País* has attributed the “collapse of the public service infrastructure” in the country to the “lack of maintenance and investment in modernization,” and corruption.⁷⁸

In its Venezuela Humanitarian Fund (VHF) annual report for 2023, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) Venezuela stated that “significant shortfalls remain in the provision of basic services, including health care, water, education, and energy.”⁷⁹ In mid-July 2024, *The Associated Press* reported that “Water, electricity and other public services are unreliable.”⁸⁰ When characterizing protests which occurred in 2023, the *Observatorio Venezolano de Conflictividad Social* (Venezuelan Observatory of Social Conflict – OVCS)—a Venezuelan non-governmental organization (NGO)—referenced the “collapse of basic services such as drinking water, domestic gas, and electricity,” as well as “complaints and demands about other services,” including “sewage treatment, solid waste collection, repair of roads and public lighting.”⁸¹

⁷⁶ Florantonia Singer, Caracas: The ordeal of living in a city with failed public services, *El País* (Spa.), Sep. 24, 2023, available at: <https://english.elpais.com/international/2023-09-24/caracas-the-ordeal-of-living-in-a-city-with-failed-public-services.html> (last visited Aug. 23, 2024).

⁷⁷ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 23, 2024).

⁷⁸ Florantonia Singer, Caracas: The ordeal of living in a city with failed public services, *El País* (Spa.), Sep. 24, 2023, available at: <https://english.elpais.com/international/2023-09-24/caracas-the-ordeal-of-living-in-a-city-with-failed-public-services.html> (last visited Aug. 23, 2024).

⁷⁹ Venezuela Humanitarian Fund (VHF) 2023 Annual Report, United Nations Office for the Coordination of Humanitarian Affairs (OCHA) Venezuela, Apr. 6, 2024, pg. 8, available at: <https://www.unocha.org/publications/report/venezuela-bolivarian-republic/venezuela-humanitarian-fund-annual-report-2023> (last visited Aug. 23, 2024).

⁸⁰ Regina Garcia Cano, Many couples in troubled Venezuela are breaking up as people make plans to migrate ahead of election, *The Associated Press*, Jul. 18, 2024, available at: <https://apnews.com/article/venezuela-election-maduro-economy-crisis-relationships-love-a2ccff116ea52ea742e03ebd294dbd3> (last visited Aug. 23, 2024).

⁸¹ Conflictividad Social – Venezuela Anual 2023 [Social Conflict – Venezuela Annual 2023], *Observatorio Venezolano de Conflictividad Social* (OVCS), Jan. 15, 2024, pg. 5, available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2024/02/INFORMEOVCS-ANUAL2023.pdf> (last visited Aug. 23, 2024).



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Access to Electricity

Venezuela “experiences regular power outages,”⁸² while “interruptions in electrical service” are reportedly “common.”⁸³ *Reuters* has reported that “Venezuela’s electricity woes started in late 2009 following years of divestment and mismanagement.”⁸⁴ Moreover, “In 2019, Venezuela’s grid collapsed, leaving almost the entire country in the dark for four days.”⁸⁵ *The New Humanitarian* reported in late June 2024 that “Venezuelans still face daily power cuts.”⁸⁶ *Marketplace* has argued that power outages in Venezuela “are caused by electrical faults but also by a state rationing of electricity – that’s because the country simply isn’t producing enough.”⁸⁷

In late September 2023, *El País* reported that electricity was one of the two public services in Venezuela “that are in the most dire state and most affect the quality of life.”⁸⁸ Per HumVenezuela, the country’s “electricity crisis worsened in 2023, with a constant daily power fluctuation in all states of the country. The population suffering intermittent and prolonged power failures increased from 25.9% to 61.9% between 2022 and 2023.”⁸⁹

In its annual report covering 2023, the IACHR stated that “Power supply deficiencies not only had a negative impact on the quality of life of the population in general, but also caused the death of patients in several medical centers.”⁹⁰ Moreover, *Reuters* has reported that power outages

⁸² Venezuela Country Security Report, Overseas Security Advisory Council (OSAC), U.S. Department of State, last updated Mar. 26, 2024, available at: <https://www.osac.gov/Content/Report/34f99e62-2161-412d-bfeb-1e752539f6bf> (last visited Aug. 23, 2024).

⁸³ Clare Ribando Seelke, Venezuela: Political Crisis and U.S. Policy, Congressional Research Service (CRS), updated Sep. 1, 2023, pg. 1, available at: <https://crsreports.congress.gov/product/pdf/IF/IF10230> (last visited Aug. 23, 2024).

⁸⁴ Venezuela experiences blackouts in capital and at least 15 states, *Reuters*, Dec. 17, 2021, available at: <https://www.reuters.com/markets/commodities/venezuela-experiences-blackouts-capital-least-15-states-2021-12-17/> (last visited Sep. 5, 2024).

⁸⁵ Mariela Nava, Tibisay Romero, and Vivian Sequera, Power cuts hit Venezuela’s west, cutting air conditioning during heat wave, *Reuters*, Jun. 7, 2023, available at: <https://www.reuters.com/world/americas/power-cuts-hit-venezuelas-west-cutting-air-conditioning-during-heat-wave-2023-06-07/> (last visited Aug. 23, 2024).

⁸⁶ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 23, 2024).

⁸⁷ Catherine Ellis, Venezuela’s power blackouts are fueling a surge in migration, *Marketplace*, Jul. 24, 2024, available at: <https://www.marketplace.org/2024/07/24/venezuelas-power-blackouts-are-fueling-a-surge-in-migration/> (last visited Aug. 23, 2024).

⁸⁸ Florantonia Singer, Caracas: The ordeal of living in a city with failed public services, *El País* (Spa.), Sep. 24, 2023, available at: <https://english.elpais.com/international/2023-09-24/caracas-the-ordeal-of-living-in-a-city-with-failed-public-services.html> (last visited Aug. 23, 2024).

⁸⁹ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 21, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 23, 2024).

⁹⁰ Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 732, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Aug. 23, 2024).



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“frequently hit Venezuela’s aging refineries and oil terminals, suspending the OPEC country’s crude processing and exports and causing domestic fuel scarcity.”⁹¹ In 2023, the OVCS “documented 416 protests due to electricity failures,” noting that “In all states, complaints about the intermittency of electrical service are recurring,” with Venezuelans rejecting the “interruption of their activities and the deterioration of appliances, equipment, medicines, and food.”⁹²

Access to Water

El País reported in late September 2023 that water—along with electricity—was one of the two public services in Venezuela “that are in the most dire state and most affect the quality of life.”⁹³ In its annual report covering 2023, the IACHR stated that “the population faced growing challenges to access water and sanitation since the water supply is not continuous, and the quality of water has deteriorated.”⁹⁴ OSAC has reported that “potable water is frequently not available for long periods,”⁹⁵ with CRS similarly noting that “Many households lack reliable access to potable water.”⁹⁶

Per HumVenezuela, the country’s “water crisis [...] worsened further in 2023, due to restrictions on access to water and higher levels of contamination reported by households.”⁹⁷ Over 69% of the population was impacted by “recurrent and prolonged access restrictions” to water in 2023.⁹⁸

⁹¹ Power blackout hits Venezuela's Paraguana refining center, sources say, Reuters, Mar. 14, 2024, available at: <https://www.reuters.com/world/americas/power-blackout-hits-venezuelas-paraguana-refining-center-sources-say-2024-03-14/> (last visited Aug. 23, 2024).

⁹² Conflictividad Social – Venezuela Anual 2023 [Social Conflict – Venezuela Annual 2023], Observatorio Venezolano de Conflictividad Social (OVCS), Jan. 15, 2024, pg. 18, available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2024/02/INFORMEOVCS-ANUAL2023.pdf> (last visited Aug. 23, 2024).

⁹³ Florantonia Singer, Caracas: The ordeal of living in a city with failed public services, *El País* (Spa.), Sep. 24, 2023, available at: <https://english.elpais.com/international/2023-09-24/caracas-the-ordeal-of-living-in-a-city-with-failed-public-services.html> (last visited Aug. 26, 2024).

⁹⁴ Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 732, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Aug. 26, 2024).

⁹⁵ Venezuela Country Security Report, Overseas Security Advisory Council (OSAC), U.S. Department of State, last updated Mar. 26, 2024, available at: <https://www.osac.gov/Content/Report/34f99e62-2161-412d-bfeb-1e752539f6bf> (last visited Aug. 26, 2024).

⁹⁶ Clare Ribando Seelke, Venezuela: Political Crisis and U.S. Policy, Congressional Research Service (CRS), updated Sep. 1, 2023, pg. 1, available at: <https://crsreports.congress.gov/product/pdf/IF/IF10230> (last visited Aug. 26, 2024).

⁹⁷ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 31, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 26, 2024).

⁹⁸ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 32, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 26, 2024).



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Furthermore, an estimated “86% of the population was exposed to contaminated water sources.”⁹⁹

As a result of water scarcity, “86% of the population used alternative water sources in 2023.”¹⁰⁰ While most of those affected “covered supply deficiencies through the purchase of bottles and the payment of tanker trucks, [...] a significant proportion also had to use unsafe sources due to exposure to contaminants.”¹⁰¹ The OVCS “documented 478 protests for access to drinking water nationwide” in 2023, noting that “Venezuelan families must allocate a significant part of their family budget to pay for private cistern services, or collect water from springs, improvised taps, or the product of rainfall.”¹⁰²

Access to Fuel (Gasoline & Domestic Gas)

Venezuela is also impacted by fuel shortages.¹⁰³ HumVenezuela has argued that Venezuelans “face a permanent fuel shortage crisis due to the deficit in domestic production to cover the national demand for gasoline.”¹⁰⁴ Bloomberg commented in early February 2024 that Venezuela had experienced “years of painful fuel shortages that kept drivers in line for sometimes days to fill up their cars and severely restricted Venezuela’s industrial and agricultural activity.”¹⁰⁵ In late June 2024, *The New Humanitarian* commented that:

Fuel has become scarce and hard on people’s wallets. Filling up a tank of gas at the subsidised price may be cheaper, but you need to wait hours – sometimes days – in long queues to do so. Paying international prices means spending at least \$20

⁹⁹ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 31, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 26, 2024).

¹⁰⁰ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 33, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 26, 2024).

¹⁰¹ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 31, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 26, 2024).

¹⁰² Conflictividad Social – Venezuela Anual 2023 [Social Conflict – Venezuela Annual 2023], Observatorio Venezolano de Conflictividad Social (OVCS), Jan. 15, 2024, pg. 18, available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2024/02/INFORMEOVCS-ANUAL2023.pdf> (last visited Aug. 26, 2024).

¹⁰³ Luke Taylor, ‘To be reunited ... would be a dream’: Venezuelan exiles’ fate hangs on vote, *The Guardian*, Jul. 25, 2024, available at: <https://www.theguardian.com/global-development/article/2024/jul/25/venezuelan-exiles-election-maduro> (last visited Aug. 27, 2024).

¹⁰⁴ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 21, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 26, 2024).

¹⁰⁵ Fabiola Zerpa and Lucia Kassai, Oil Majors Fill Venezuela Gas Pumps, Easing Years of Shortages, *Bloomberg*, Feb. 9, 2024, available at: https://www.rigzone.com/news/wire/oil_majors_fill_venezuela_gas_pumps_easing_years_of_shortages-09-feb-2024-175693-article/ (last visited Sep. 6, 2024).



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when the minimum wage is less than \$4. This has also affected agricultural production and food distribution in rural areas, where it's even harder to get by.¹⁰⁶

In its annual report covering 2023, the OVCS stated that “the crisis due to scarcity and shortages of gasoline and diesel continued, especially in the interior of the country, aggravated by the increase in subsidized fuel at international prices.”¹⁰⁷ The OVCS registered 283 protests for gasoline during the year, reporting that:

For the most part, the claims were to demand fuel supply on a regular basis, without dollarization of rates and payment of extortions. Those affected also pointed out how the fuel problem affected their day to day at work, making it difficult to travel, distribute food, products, and services, which in addition to generating delays in their functions, also translated into economic losses.

In several states, long waiting lines were observed around gas stations, as well as public complaints of alleged abuses by officials of the Bolivarian National Guard (GNB).¹⁰⁸

Venezuela has also been impacted by the “frequent scarcity” of natural gas—“the fuel essential for cooking, generating power and feeding petrochemical plants and factories.”¹⁰⁹ HumVenezuela reported that, in 2023, 69.4% of households were impacted by failures in the availability of domestic gas service.¹¹⁰ Furthermore, most Venezuelans without “direct gas in their homes for cooking” instead “rely on domestic gas services that households pay for by

¹⁰⁶ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), The New Humanitarian, Jun. 25, 2024, available at:

<https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Aug. 26, 2024).

¹⁰⁷ Conflictividad Social – Venezuela Anual 2023 [Social Conflict – Venezuela Annual 2023], Observatorio Venezolano de Conflictividad Social (OVCS), Jan. 15, 2024, pg. 21, available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2024/02/INFORMEOVCS-ANUAL2023.pdf> (last visited Aug. 26, 2024).

¹⁰⁸ Conflictividad Social – Venezuela Anual 2023 [Social Conflict – Venezuela Annual 2023], Observatorio Venezolano de Conflictividad Social (OVCS), Jan. 15, 2024, pg. 21, available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2024/02/INFORMEOVCS-ANUAL2023.pdf> (last visited Aug. 26, 2024).

¹⁰⁹ Marianna Parraga, Deisy Buitrago, and Mircely Guanipa, Whoever wins election, Venezuela faces natural gas problem, Reuters, Jul. 24, 2024, available at: <https://www.reuters.com/world/americas/gas-rich-venezuela-next-president-faces-problem-producing-it-2024-07-24/> (last visited Aug. 26, 2024).

¹¹⁰ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 22, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 26, 2024).



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filling gas cylinders at state plants, one per family per month.”¹¹¹ However, “The capacity of each cylinder averages about 25 days and cannot always be replenished regularly.”¹¹²

In 2023, the OVCS registered “66 protests rejecting domestic gas failures,” representing a decline of 60% compared to the previous year.¹¹³ Yet, the OVCS argued that this decline “cannot be taken as an indication that the authorities have addressed the claims expressed in protests and/or that the deficiency in services has been resolved, on the contrary, the common citizen continues to denounce excessive control, increases in rates, and delays in the delivery and distribution of domestic gas.”¹¹⁴

Education

In May 2024, the International Commission of Jurists (ICJ) argued that the state of Venezuela’s education system “has been deteriorating for more than a decade,” and “is marked by dilapidated school infrastructure; shortages of teachers; high dropout rates for students; and poor-quality education.”¹¹⁵ Per HumVenezuela, “irregular attendance, missed school days, dropouts and non-schooling have become recurrent and increasingly serious problems” in Venezuela.¹¹⁶ As *The New Humanitarian* noted in late June 2024:

Reports show that dilapidated infrastructure, the lack of teachers and of public transportation – combined with the shortcomings of the school meals programme – are driving many students away.

The impoverishment of families due to high inflation is also forcing children to drop out of school to work. In 2023, 40% of students between the ages of three and 17 attended school irregularly.

¹¹¹ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 22, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 26, 2024).

¹¹² Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 22, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 26, 2024).

¹¹³ Conflictividad Social – Venezuela Anual 2023 [Social Conflict – Venezuela Annual 2023], Observatorio Venezolano de Conflictividad Social (OVCS), Jan. 15, 2024, pg. 19, available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2024/02/INFORMEOVCS-ANUAL2023.pdf> (last visited Aug. 26, 2024).

¹¹⁴ Conflictividad Social – Venezuela Anual 2023 [Social Conflict – Venezuela Annual 2023], Observatorio Venezolano de Conflictividad Social (OVCS), Jan. 15, 2024, pg. 19, available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2024/02/INFORMEOVCS-ANUAL2023.pdf> (last visited Aug. 26, 2024).

¹¹⁵ Hidden in broad daylight: The decline of public education in Venezuela, International Commission of Jurists (ICJ), May 2024, pg. 37, available at: <https://reliefweb.int/report/venezuela-bolivarian-republic/hidden-broad-daylight-decline-public-education-venezuela> (last visited Sep. 3, 2024).

¹¹⁶ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 40, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Sep. 3, 2024).



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Teacher shortages due to the exodus have forced public schools to give classes only two to three days a week. In 2023, nearly two in three children had abandoned school or were at risk of dropping out, according to HumVenezuela.¹¹⁷

HumVenezuela reported in November 2023 that 73.4% of schools “do not receive continuous electricity and 80.9% do not receive water. 71.7% did not have enough desks for all students and 95.7% lacked a school transportation service.”¹¹⁸ In addition, “79.2% of the schools had a shortage of teachers.”¹¹⁹ According to EUAA, “Teachers and school staff [...] are reportedly ‘unable to survive on their salaries’ and are forced into other alternatives of income or abandoning their professions altogether.”¹²⁰ In mid-May 2024, the Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) reported that “at least 200,000 teachers left the country since 2017.”¹²¹

Political Crisis

In February 2022, the International Crisis Group (Crisis Group) reported that Venezuela had experienced over “two decades of political tumult” amidst a “dispute between the governments of self-proclaimed socialist Hugo Chávez (1999-2013) and his successor Nicolás Maduro, on one side, and an opposition alliance on the other.”¹²² In an August 2023 report, the Crisis Group referenced the country’s “long-running political crisis,”¹²³ remarking that:

Venezuela’s bruising political crisis is more than twenty years old. Efforts to overcome it have included several dialogue initiatives, but none has halted the slide toward economic collapse, social unrest and authoritarian rule. The government’s

¹¹⁷ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), The New Humanitarian, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Sep. 3, 2024).

¹¹⁸ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 42, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Sep. 3, 2024).

¹¹⁹ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 42, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Sep. 3, 2024).

¹²⁰ Venezuela - Country Focus, European Union Agency for Asylum (EUAA), Nov. 2023, pg. 17, available at: https://coi.euaa.europa.eu/administration/easo/PLib/2023_11_EUAA_COI_Report_Venezuela_Country_Focus.pdf (last visited Sep. 3, 2024).

¹²¹ Venezuela, Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO), last updated May 15, 2024, available at: https://civil-protection-humanitarian-aid.ec.europa.eu/where/latin-america-and-caribbean/venezuela_en (last visited Sep. 3, 2024).

¹²² Overcoming the Global Rift on Venezuela, Latin America Report N°93, International Crisis Group, Feb. 17, 2022, p. i, available at: <https://icg-prod.s3.amazonaws.com/093-overcoming-the-global-rift-on-venezuela.pdf> (last visited Aug. 28, 2024).

¹²³ Navigating Venezuela’s Political Deadlock: The Road to Elections, Crisis Group Latin America Report N°101, International Crisis Group, Aug. 16, 2023, p. i, available at: <https://www.crisisgroup.org/sites/default/files/2023-09/101-venezuela-political-deadlock.pdf> (last visited Aug. 28, 2024).



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brutal crackdowns on dissent have brought it the ICC¹²⁴ investigation. While the opposition has mainly fought via democratic means, on several occasions it has resorted to coup plots and even proposals for foreign military intervention. That, in turn, has redoubled the government's determination to cling to power.¹²⁵

In November 2023, HumVenezuela argued that Venezuela's "sustained political conflict [...] has kept the country in permanent instability and caused the undermining of institutions and a structural collapse of the country's capacities."¹²⁶

In early August 2024, *El País* reported that the country's political crisis was "entering uncharted territory" following the July 28, 2024 presidential election.¹²⁷ The election "pitted unpopular incumbent Nicolás Maduro, in power since 2013 after being anointed by late President Hugo Chávez as his successor, against a relatively unheralded opposition candidate, Edmundo González."¹²⁸ According to the Crisis Group, "González had established a commanding lead in pre-election opinion polls, in large part thanks to the endorsement of banned opposition leader María Corina Machado."¹²⁹

In an early August 2024 publication, the Crisis Group provided an analysis of political developments leading up to the July 2024 presidential election:

Much of the controversy that swirled around the 2024 presidential campaign and election is a legacy of the domestic and international rancor that followed the previous, disputed presidential vote six years ago. [...]

[...] Although the authorities allowed the main opposition coalition, the Unitary Platform, to hold a primary election, they reaffirmed a ban on the runaway winner, Machado, holding elected office and blocked the candidacy of her chosen substitute, Corina Yoris. González, a 74-year-old retired diplomat, was the opposition's third choice, but despite being an unknown with no previous political

¹²⁴ Refers to the International Criminal Court.

¹²⁵ Navigating Venezuela's Political Deadlock: The Road to Elections, Crisis Group Latin America Report N°101, International Crisis Group, Aug. 16, 2023, p. 20, available at: <https://www.crisisgroup.org/sites/default/files/2023-09/101-venezuela-political-deadlock.pdf> (last visited Aug. 28, 2024).

¹²⁶ Follow-Up Report on the Complex Humanitarian Emergency in Venezuela, HumVenezuela, Nov. 2023, pg. 5, available at: <https://humvenezuela.com/wp-content/uploads/2024/02/FOLLOW-UP-REPORT-ON-THE-COMPLEX-HUMANITARIAN-EMERGENCY-IN-VENEZUELA-2023-2.pdf> (last visited Aug. 26, 2024).

¹²⁷ Florantonia Singer, Venezuela's political crisis enters uncharted territory, *El País* (Spa.), Aug. 5, 2024, available at: <https://english.elpais.com/international/2024-08-05/venezuelas-political-crisis-enters-uncharted-territory.html> (last visited Aug. 29, 2024).

¹²⁸ Phil Gunson, Venezuela: What Next after its Election Uproar?, International Crisis Group, Aug. 2, 2024, available at: <https://www.crisisgroup.org/latin-america-caribbean/andes/venezuela/venezuela-what-next-after-its-election-uproar> (last visited Aug. 29, 2024).

¹²⁹ Phil Gunson, Venezuela: What Next after its Election Uproar?, International Crisis Group, Aug. 2, 2024, available at: <https://www.crisisgroup.org/latin-america-caribbean/andes/venezuela/venezuela-what-next-after-its-election-uproar> (last visited Aug. 29, 2024).



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experience, he soon garnered massive support, touring the country with the hugely popular Machado.

Ten candidates, backed by 38 political parties, eventually appeared on the official electronic ballot, many of them thinly veiled plants by the government, which intended them as a ploy to divide and confuse opposition voters and create the appearance of a diverse and competitive election. But the campaign rapidly took a shape that was not to the government's liking – a two-horse race, in which reputable polling companies all gave González a massive lead, of up to 30 points and more, over Maduro. [...]

The government did its best to impede the opposition's rallies, banning Machado from traveling by air, cancelling public transport in the vicinity, digging up highways and setting up roadblocks ahead of them. It closed down radio stations, blocked websites and kept the opposition message largely out of the mass media. Millions of voters were disenfranchised. For the Venezuelan diaspora – estimated to number eight million migrants and refugees who have left the country over a decade of economic contraction and political tumult – arbitrary rules prevented them from registering to vote; at home, enrolment was marred by lack of information, as well as of time and opportunities to register. The National Electoral Council, dominated by a pro-government majority, failed even to adhere to its own election timetable, and overlooked or omitted a number of key steps. As in previous campaigns, the government abused its power by using state resources to bolster the Maduro campaign, while extorting contributions from private businesses and closing down those that gave any assistance to their adversary.¹³⁰

On election day—Sunday, July 28—"Exit polls and quick counts organised by the opposition indicated that Maduro was headed for defeat."¹³¹ After the polls closed, both sides reportedly claimed victory, yet without the official results.¹³² According to the Crisis Group, a little after midnight on July 29:

CNE¹³³ president Elvis Amoroso – a close ally of President Maduro – announced that, with 80 per cent of returns tallied, Maduro had obtained 51.2 per cent of the vote and that his lead of around 700,000 votes indicated an "irreversible" tendency. Machado and González then appeared before the cameras, with Machado saying,

¹³⁰ Phil Gunson, Venezuela: What Next after its Election Uproar?, International Crisis Group, Aug. 2, 2024, available at: <https://www.crisisgroup.org/latin-america-caribbean/andes/venezuela/venezuela-what-next-after-its-election-uproar> (last visited Aug. 29, 2024).

¹³¹ Phil Gunson, Venezuela: What Next after its Election Uproar?, International Crisis Group, Aug. 2, 2024, available at: <https://www.crisisgroup.org/latin-america-caribbean/andes/venezuela/venezuela-what-next-after-its-election-uproar> (last visited Aug. 29, 2024).

¹³² Phil Gunson, Venezuela: What Next after its Election Uproar?, International Crisis Group, Aug. 2, 2024, available at: <https://www.crisisgroup.org/latin-america-caribbean/andes/venezuela/venezuela-what-next-after-its-election-uproar> (last visited Aug. 29, 2024).

¹³³ Refers to the National Electoral Council.



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“We won, and everyone knows it”. The commission pronounced Maduro the election winner in a Monday morning event in Caracas.¹³⁴

The Associated Press reported in late August 2024 that the “main opposition coalition has accused Maduro of trying to steal the vote.”¹³⁵ The media outlet also remarked that, “Thanks to a superb ground game on election day, opposition volunteers managed to collect copies of voting tallies from 80% of the 30,000 polling booths nationwide and which show opposition candidate Edmundo González won by a more than 2-to-1 margin.”¹³⁶ Per *The Associated Press*, the “official tally sheets printed by each voting machine”—which are known as *actas*¹³⁷—“carry a QR code that makes it easy for anyone to verify the results and are almost impossible to replicate.”¹³⁸ More than 23,000 tally sheets “were scanned and posted online by the opposition.”¹³⁹ *The Washington Post* stated in early August that its own analysis of the aforementioned tally sheets found that Edmundo González “likely received more than twice as many votes as President Nicolás Maduro”—a conclusion “which echoes the results of independent exit polling and similar independent analyses.”¹⁴⁰

Nevertheless, on August 22, 2024, the country’s Supreme Court—which has reportedly “almost never ruled against the government”—certified “President Nicolás Maduro’s claims that he won last month’s presidential election.”¹⁴¹ The Supreme Court also said that the voting tallies

¹³⁴ Phil Gunson, Venezuela: What Next after its Election Uproar?, International Crisis Group, Aug. 2, 2024, available at: <https://www.crisisgroup.org/latin-america-caribbean/andes/venezuela/venezuela-what-next-after-its-election-uproar> (last visited Aug. 29, 2024).

¹³⁵ Venezuela’s Supreme Court certifies Maduro’s claims that he won presidential election, *The Associated Press*, updated Aug. 22, 2024, available at: <https://apnews.com/article/venezuela-election-supreme-court-certifies-maduro-39d9f3b9beb0fe96fa052e4d2a3c106b> (last visited Aug. 29, 2024).

¹³⁶ Venezuela’s Supreme Court certifies Maduro’s claims that he won presidential election, *The Associated Press*, updated Aug. 22, 2024, available at: <https://apnews.com/article/venezuela-election-supreme-court-certifies-maduro-39d9f3b9beb0fe96fa052e4d2a3c106b> (last visited Aug. 29, 2024).

¹³⁷ Samantha Schmidt, Steven Rich, Ana Vanessa Herrero, and María Luisa Paúl, Maduro lost election, tallies collected by Venezuela’s opposition show, *The Washington Post*, Aug. 4, 2024, available at: <https://www.washingtonpost.com/world/2024/08/04/maduro-gonzalez-election-actas-analysis/> (last visited Aug. 29, 2024).

¹³⁸ Venezuela’s Supreme Court certifies Maduro’s claims that he won presidential election, *The Associated Press*, updated Aug. 22, 2024, available at: <https://apnews.com/article/venezuela-election-supreme-court-certifies-maduro-39d9f3b9beb0fe96fa052e4d2a3c106b> (last visited Aug. 29, 2024).

¹³⁹ Samantha Schmidt, Steven Rich, Ana Vanessa Herrero, and María Luisa Paúl, Maduro lost election, tallies collected by Venezuela’s opposition show, *The Washington Post*, Aug. 4, 2024, available at: <https://www.washingtonpost.com/world/2024/08/04/maduro-gonzalez-election-actas-analysis/> (last visited Aug. 29, 2024).

¹⁴⁰ Samantha Schmidt, Steven Rich, Ana Vanessa Herrero, and María Luisa Paúl, Maduro lost election, tallies collected by Venezuela’s opposition show, *The Washington Post*, Aug. 4, 2024, available at: <https://www.washingtonpost.com/world/2024/08/04/maduro-gonzalez-election-actas-analysis/> (last visited Aug. 29, 2024).

¹⁴¹ Venezuela’s Supreme Court certifies Maduro’s claims that he won presidential election, *The Associated Press*, updated Aug. 22, 2024, available at: <https://apnews.com/article/venezuela-election-supreme-court-certifies-maduro-39d9f3b9beb0fe96fa052e4d2a3c106b> (last visited Aug. 29, 2024).



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collected and published online by the opposition were “forged.”¹⁴² *The Associated Press* reported that:

The high court’s ruling certifying the results contradicts the findings of experts from the United Nations and the Carter Center who were invited to observe the election and which both determined the results announced by authorities lacked credibility. Specifically, the outside experts noted that authorities didn’t release a breakdown of results by each of the 30,000 voting booths nationwide, as they have in almost every previous election.¹⁴³

On August 23, 2024, the United States and ten other countries in the Americas issued a statement rejecting the Supreme Court’s decision and calling for “an ‘impartial and independent audit’ of the vote.”¹⁴⁴

Political Repression & Human Rights

In its annual report covering 2023, the IACHR stated that the Venezuelan state has “systematically violated human rights, including freedom of expression, to facilitate the concentration of power in the executive branch, to discourage political participation and to undermine the independence of institutions.”¹⁴⁵ Freedom House has reported that “Venezuela’s democratic institutions have been deteriorating since 1999.”¹⁴⁶ Yet, the organization also noted in its annual report covering 2023 that:

conditions have grown sharply worse in recent years due to harsher government crackdowns on the opposition and the ruling party’s use of thoroughly flawed elections to seize full control of state institutions. The authorities have closed off virtually all channels for political dissent, restricting civil liberties and prosecuting perceived opponents without regard for due process.¹⁴⁷

¹⁴² Venezuela’s Supreme Court certifies Maduro’s claims that he won presidential election, *The Associated Press*, updated Aug. 22, 2024, available at: <https://apnews.com/article/venezuela-election-supreme-court-certifies-maduro-39d9f3b9beb0fe96fa052e4d2a3c106b> (last visited Aug. 29, 2024).

¹⁴³ Venezuela’s Supreme Court certifies Maduro’s claims that he won presidential election, *The Associated Press*, updated Aug. 22, 2024, available at: <https://apnews.com/article/venezuela-election-supreme-court-certifies-maduro-39d9f3b9beb0fe96fa052e4d2a3c106b> (last visited Aug. 29, 2024).

¹⁴⁴ Tom Phillips, US and 10 Latin American states reject Nicolás Maduro’s vote certification, *The Guardian*, Aug. 23, 2024, available at: <https://www.theguardian.com/world/article/2024/aug/23/latin-american-states-and-us-reject-maduro-vote-certification-election-venezuela-supreme-court> (last visited Aug. 29, 2024).

¹⁴⁵ Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 720, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Aug. 30, 2024).

¹⁴⁶ Freedom in the World 2024 – Venezuela, Freedom House, Feb. 29, 2024, available at: <https://freedomhouse.org/country/venezuela/freedom-world/2024> (last visited Aug. 29, 2024).

¹⁴⁷ Freedom in the World 2024 – Venezuela, Freedom House, Feb. 29, 2024, available at: <https://freedomhouse.org/country/venezuela/freedom-world/2024> (last visited Aug. 29, 2024).



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EUAA reported in November 2023 that “the targeting and repression of political opponents, dissenters, activists, and human rights defenders, continued,” with targeting “carried out against those deemed the ‘internal enemy,’ whereby dissent or criticism of the government is often criminalized.”¹⁴⁸

Furthermore, there have been allegations that “serious human rights violations” have been committed in Venezuela, which “may amount to crimes against humanity.”¹⁴⁹ In an October 2023 report, Amnesty International provided background on allegations of purported crimes against humanity in Venezuela, as well as investigations conducted by the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela, and the International Criminal Court (ICC):

The UN independent fact-finding mission on the Bolivarian Republic of Venezuela (FFM)¹⁵⁰, established in 2019 by the Human Rights Council, concluded in 2020 that some of the violations investigated in the context of targeted political repression, security operations and protests could amount to crimes against humanity. Amnesty International and other human rights organizations have reached the same conclusion. In 2020, the Office of the Prosecutor of the International Criminal Court (ICC) concluded that there was reasonable basis to believe that crimes against humanity, particularly in the context of detention, had been committed in Venezuela since at least April 2017 and in November 2021 the Office announced that they would proceed with investigations.

In September 2022, the FFM determined that “military and civil intelligence agencies have implemented a plan orchestrated at the highest level of the government to repress dissent through crimes against humanity”. The FFM documented acts of torture and other ill-treatment, including sexual and gender-based violence, by state officials, against real or perceived opponents of the government and their families, as well as to other individuals associated with them, including indigenous persons. They also reported killings in the context of security operations in low-income and urban neighbourhoods in various parts of the country, as well as extrajudicial killings, enforced disappearances, forced labour, sexual exploitation, and trafficking in border and remote areas.¹⁵¹

¹⁴⁸ Venezuela - Country Focus, European Union Agency for Asylum (EUAA), Nov. 2023, pg. 62, available at: https://coi.euaa.europa.eu/administration/easo/PLib/2023_11_EUAA_COI_Report_Venezuela_Country_Focus.pdf (last visited Aug. 30, 2024).

¹⁴⁹ Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 720, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Aug. 30, 2024); International Protection Needs of Venezuelan Nationals, Amnesty International, Oct. 2023, pg. 3, available at: <https://www.ecoi.net/en/file/local/2099475/AMR5373312023ENGLISH.pdf> (last visited Aug. 30, 2024).

¹⁵⁰ RAIO Research’s report refers to this organization as the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela.

¹⁵¹ International Protection Needs of Venezuelan Nationals, Amnesty International, Oct. 2023, pg. 6, available at: <https://www.ecoi.net/en/file/local/2099475/AMR5373312023ENGLISH.pdf> (last visited Aug. 30, 2024).



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In late June 2023, ICC judges “authorized the resumption of an investigation into alleged crimes against humanity in Venezuela.”¹⁵² Human Rights Watch reported that, in September 2023, “the United Nations Fact-Finding Mission (FFM)¹⁵³ found serious human rights violations that continued the same patterns of conduct that the FFM had previously qualified as crimes against humanity.”¹⁵⁴

According to Amnesty International, “Venezuelans have consistently protested against the deterioration of living standards and the collapse of basic services, as well as for their civil and political rights.”¹⁵⁵ Per the OVCS, there were 92,719 protests in Venezuela from 2011 through 2021,¹⁵⁶ 7,032 protests in 2022,¹⁵⁷ and 6,956 protests in 2023.¹⁵⁸ Of the protests which occurred in 2023, the OVCS concluded that 80% were for economic, social, cultural, and environmental rights, while 20% were for civil and political rights.¹⁵⁹

EUAA reported in November 2023 that “the state’s response to demonstrations and expressions of dissent has shifted from past large-scale visible repression to forms of targeted repression, whereby authorities target specific profiles as a way to send a message and discourage further demonstrations and expressions of dissent.”¹⁶⁰ Similarly, in its annual report covering 2023, Human Rights Watch stated that “While the same patterns of abuse continue, there has been a shift from the widescale repression of protesters in the streets to a seemingly more selective repression that includes surveillance, harassment, and criminalization.”¹⁶¹

¹⁵² World Report 2024 - Venezuela, Human Rights Watch, Jan. 11, 2024, available at: <https://www.hrw.org/world-report/2024/country-chapters/venezuela> (last visited Aug. 30, 2024).

¹⁵³ RAI/O Research’s report refers to this organization as the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela.

¹⁵⁴ World Report 2024 - Venezuela, Human Rights Watch, Jan. 11, 2024, available at: <https://www.hrw.org/world-report/2024/country-chapters/venezuela> (last visited Aug. 30, 2024).

¹⁵⁵ International Protection Needs of Venezuelan Nationals, Amnesty International, Oct. 2023, pg. 5, available at: <https://www.ecoi.net/en/file/local/2099475/AMR5373312023ENGLISH.pdf> (last visited Aug. 30, 2024).

¹⁵⁶ Conflictividad Social 2021 [Social Conflict 2021], Observatorio Venezolano de Conflictividad Social (OVCS), Feb. 15, 2022, pg. 3, available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2022/02/INFORMEOVCS-ANUAL2021.pdf> (last visited Aug. 30, 2024).

¹⁵⁷ Conflictividad Social – Venezuela Anual 2022 [Social Conflict – Venezuela Annual 2022], Feb. 2023, Observatorio Venezolano de Conflictividad Social (OVCS), pg. 2, available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2023/02/INFORMEOVCS-ANUAL2022.pdf> (last visited Aug. 30, 2024).

¹⁵⁸ Conflictividad Social – Venezuela Anual 2023 [Social Conflict – Venezuela Annual 2023], Observatorio Venezolano de Conflictividad Social (OVCS), Jan. 15, 2024, pg. 2, available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2024/02/INFORMEOVCS-ANUAL2023.pdf> (last visited Aug. 30, 2024).

¹⁵⁹ Conflictividad Social – Venezuela Anual 2023 [Social Conflict – Venezuela Annual 2023], Observatorio Venezolano de Conflictividad Social (OVCS), Jan. 15, 2024, pg. 3-4, available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2024/02/INFORMEOVCS-ANUAL2023.pdf> (last visited Aug. 30, 2024).

¹⁶⁰ Venezuela - Country Focus, European Union Agency for Asylum (EUAA), Nov. 2023, pg. 15, available at: https://coi.euaa.europa.eu/administration/easo/PLib/2023_11_EUAA_COI_Report_Venezuela_Country_Focus.pdf (last visited Aug. 30, 2024).

¹⁶¹ World Report 2024 - Venezuela, Human Rights Watch, Jan. 11, 2024, available at: <https://www.hrw.org/world-report/2024/country-chapters/venezuela> (last visited Aug. 30, 2024).



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In a March 2024 statement, the chair of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela provided an update on repression in the country (since the publication of its last report in mid-September 2023):

In its previous report, the Mission concluded that the State's repressive structure had not been dismantled and continued to pose a latent threat that could be activated when the Government deems it necessary. The Mission reiterates that this repression works through two modalities, depending on the context. A more violent one, which aims at silencing opposing voices at any cost, including through the commission of crimes, and another that generates a climate of fear and intimidation, restricting the free exercise of fundamental rights.

Numerous events recorded during the period covered by this update confirm that we are witnessing a reactivation of the most violent form of repression by the authorities. In this regard, the Mission observes a repetition of the same patterns of human rights violations against real or perceived opponents of the Government, including human rights defenders who dare to criticize, denounce, or protest against government decisions or policies.¹⁶²

In late July 2024—prior to the July 28 presidential election—Human Rights Watch alleged that Venezuela's "electoral process has been marred by human rights violations and irregularities that have kept the playing field uneven," with the Venezuelan government repeatedly committing "systematic human rights violations against critics and opposition leaders."¹⁶³ Amnesty International likewise "condemned the escalating repression that has marked the election period," referencing "incessant attacks on civic space, tens of arbitrary detentions, enforced disappearances, torture, reprisals against businesses and contractors providing services to opposition figures, and arbitrary and abusive administrative measures."¹⁶⁴ When discussing the "pre-electoral period," the IACHR stated in mid-August 2024 that "the regime" had "intensified authoritarian practices to obstruct political participation through a pattern of coercion aimed at demobilizing the opposition and its potential supporters."¹⁶⁵ The IACHR also reported that the

¹⁶² Statement by Marta Valiñas, Chair of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela, at the 55th session of the Human Rights Council, Office of the High Commissioner for Human Rights (OHCHR), Mar. 20, 2024, available at: <https://www.ohchr.org/en/statements-and-speeches/2024/03/statement-marta-valinas-chair-independent-international-fact> (last visited Aug. 30, 2024).

¹⁶³ Venezuela: Repression Mars Key Upcoming Election, Human Rights Watch, Jul. 25, 2024, available at: <https://www.hrw.org/news/2024/07/25/venezuela-repression-mars-key-upcoming-election> (last visited Sep. 3, 2024).

¹⁶⁴ Venezuela: After an electoral period marked by repression, a commitment to human rights is imperative, Amnesty International, Jul. 25, 2024, available at: <https://www.amnesty.org/en/latest/news/2024/07/venezuela-after-electoral-period-marked-repression-commitment-human-rights-imperative/> (last visited Sep. 3, 2024).

¹⁶⁵ IACHR and SRFOE condemn State terrorism practices in Venezuela, Inter-American Commission on Human Rights (IACHR), Aug. 15, 2024, available at: https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2024/184.asp (last visited Sep. 3, 2024).



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State had “intensified political persecution, harassment, and arbitrary arrests of opposition leaders, activists, and journalists” during this time period.¹⁶⁶

On July 31, 2024, the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela reported that, since the CNE’s declaration that Maduro had won the presidential election in the early morning hours of July 29, “thousands of people—including men, women, children, and the elderly—have taken to the streets across the country to protest the results.”¹⁶⁷ The IACHR remarked on August 15 that “Serious allegations of irregularities and electoral fraud have led to at least 300 spontaneous protests throughout the country, mobilizing different social sectors, particularly inhabitants of poor areas.”¹⁶⁸ The Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela “recorded 23 deaths, the vast majority caused by gunfire, between 28 July and 8 August in the context of the protests.”¹⁶⁹

On August 10, *The New York Times* reported that Venezuelan authorities had “mounted a furious campaign against anyone challenging the declared results of the vote, unleashing a wave of repression that human rights groups say is unlike anything the country has seen in recent decades.”¹⁷⁰ The media outlet also commented that, per a representative of the Washington Office on Latin America (WOLA), the Venezuelan government “appeared to be employing a ‘pluralistic’ approach to quash dissent [...], using all the methods at its disposal, including technology, security forces, intelligence services, armed civilians and the armed forces.”¹⁷¹ Moreover, the IACHR reported on August 15 that post-election protests:

have been harshly repressed by State forces and by armed non-State groups linked to the ruling party, known as “colectivos.” The repression has reflected patterns already observed by the IACHR in the 2014 and 2017 protests: i) arbitrary use of

¹⁶⁶ IACHR and SRFOE condemn State terrorism practices in Venezuela, Inter-American Commission on Human Rights (IACHR), Aug. 15, 2024, available at: https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2024/184.asp (last visited Sep. 3, 2024).

¹⁶⁷ Venezuela: UN Fact-Finding Mission expresses alarm over human rights violations in post-election context, Office of the High Commissioner for Human Rights (OHCHR), Jul. 31, 2024, available at: <https://www.ohchr.org/en/press-releases/2024/07/venezuela-un-fact-finding-mission-expresses-alarm-over-human-rights> (last visited Sep. 3, 2024).

¹⁶⁸ IACHR and SRFOE condemn State terrorism practices in Venezuela, Inter-American Commission on Human Rights (IACHR), Aug. 15, 2024, available at: https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2024/184.asp (last visited Sep. 3, 2024).

¹⁶⁹ Venezuela Fact-Finding Mission calls for end of repression, thorough investigations, after elections, United Nations Human Rights Council, Aug. 12, 2024, available at: <https://www.ohchr.org/en/press-releases/2024/08/venezuela-fact-finding-mission-calls-end-repression-thorough-investigations> (last visited Sep. 3, 2024).

¹⁷⁰ Frances Robles, ‘Operation Knock-Knock’: Venezuela Sweeps Up Dissenters After Disputed Vote, *The New York Times*, Aug. 10, 2024, available at: <https://www.nytimes.com/2024/08/10/world/americas/venezuela-election-maduro.html> (last visited Sep. 3, 2024).

¹⁷¹ Frances Robles, ‘Operation Knock-Knock’: Venezuela Sweeps Up Dissenters After Disputed Vote, *The New York Times*, Aug. 10, 2024, available at: <https://www.nytimes.com/2024/08/10/world/americas/venezuela-election-maduro.html> (last visited Sep. 3, 2024).



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force resulting in loss of life and injuries; ii) arbitrary detentions and forced disappearances; iii) judicial persecution and harassment against perceived opponents and electoral volunteers; iv) censorship and restrictions on freedoms of expression, association, and peaceful assembly; and v) obstacles to human rights advocacy work.¹⁷²

On August 12, the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela concluded “that at least 1,260 people have been detained since 28 July” (including more than 100 children and adolescents), while data from the Venezuelan government claimed that “at least 2,200 people, indiscriminately labeled as ‘terrorists,’ have been detained.”¹⁷³ In regard to these detentions, it noted that:

Among those detained are leaders, members, and supporters of political parties, journalists, and human rights defenders, considered or perceived by the authorities as part of the opposition. However, the vast majority of those detained were simply individuals who voiced their rejection of the presidential election results announced by the authorities. Many of these detentions occurred after individuals participated in protests or expressed their opinions on social media, with authorities selectively targeting them at their homes.¹⁷⁴

According to *The New York Times*, some of the detentions reportedly came after Maduro “urged his supporters to snitch on their neighbors” via VenApp—“an app that the government had originally introduced to report public nuisances,” such as “downed power lines.”¹⁷⁵

Crime & Insecurity

In its annual report on violence in Venezuela, the Venezuelan Violence Observatory (*Observatorio Venezolano de Violencia* – OVV)—a Venezuelan NGO—reported that “a discernible reduction in the overall levels of violence could be observed” in 2023.¹⁷⁶ In May

¹⁷² IACHR and SRFOE condemn State terrorism practices in Venezuela, Inter-American Commission on Human Rights (IACHR), Aug. 15, 2024, available at:

https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2024/184.asp (last visited Sep. 3, 2024).

¹⁷³ Venezuela Fact-Finding Mission calls for end of repression, thorough investigations, after elections, United Nations Human Rights Council, Aug. 12, 2024, available at: <https://www.ohchr.org/en/press-releases/2024/08/venezuela-fact-finding-mission-calls-end-repression-thorough-investigations> (last visited Sep. 3, 2024).

¹⁷⁴ Venezuela Fact-Finding Mission calls for end of repression, thorough investigations, after elections, United Nations Human Rights Council, Aug. 12, 2024, available at: <https://www.ohchr.org/en/press-releases/2024/08/venezuela-fact-finding-mission-calls-end-repression-thorough-investigations> (last visited Sep. 3, 2024).

¹⁷⁵ Frances Robles, ‘Operation Knock-Knock’: Venezuela Sweeps Up Dissenters After Disputed Vote, *The New York Times*, Aug. 10, 2024, available at: <https://www.nytimes.com/2024/08/10/world/americas/venezuela-election-maduro.html> (last visited Sep. 3, 2024).

¹⁷⁶ Annual Report Violence 2023, Venezuelan Violence Observatory (OVV), Dec. 28, 2023, pg. 30, available at: <https://observatoriodeviolencia.org.ve/wp-content/uploads/2024/01/OVV-Violence-in-Venezuela-Annual-Report-2023-.pdf> (last visited Sep. 3, 2024).



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2024, InSight Crime likewise referenced “the apparent drop in crime in Venezuela – a country once considered the most dangerous in Latin America.”¹⁷⁷ Citing the work of the OVV, InSight Crime mentioned various factors behind the alleged decline in crime, including the country’s “ongoing economic crisis,” which has reportedly reduced “opportunities for extortion and ransom kidnappings,” and led Venezuelan criminal groups to “infiltrate Venezuelan diasporas settled in other Latin American countries.”¹⁷⁸ The “monopolization of violence in some regions” by “non-state armed groups,” as well as “pacts between the government and some criminal groups,” have also reportedly contributed to improved perceptions of security in certain areas.¹⁷⁹

DG ECHO reported in mid-May 2024 that homicide rates in Venezuela “are among the highest in the world.”¹⁸⁰ Per InSight Crime, Venezuela had a homicide rate of 26.8 per 100,000 in 2023, while the OVV registered 6,973 violent deaths during the year—a 25% decline in violent deaths compared to 2022.¹⁸¹ While violent deaths declined in 2023, the OVV nevertheless commented that “the number of such deaths per 100,000 people is still higher than ten, the limit at which it’s considered an epidemic.”¹⁸² Similarly, when commenting on the improvements in the country’s violent death rate, Freedom House noted in its annual report covering 2023 that “Venezuela remains one of the most violent countries in the region.”¹⁸³

Per EUAA, the main criminal activities which occur in Venezuela include “extortion, drug trafficking, illegal mining, kidnappings, robberies, and fuel smuggling.”¹⁸⁴ Regarding extortion, InSight Crime reported in October 2023 that:

Extortion pervades nearly all levels of Venezuelan society, sowing greater fear as it becomes more violent. The repercussions of not paying extortion are severe: grenades thrown at businesses, assassinations, forced displacement, and threats of arrest. The societal and economic costs of these extortion schemes are also profound. Locals have lost faith in security forces’ willingness and capacity to

¹⁷⁷ Venezuela Investigative Unit, Why Is Venezuela’s Crime Rate Falling?, InSight Crime, May 28, 2024, available at: <https://insightcrime.org/news/venezuela-crime-rate-falling/> (last visited Sep. 3, 2024).

¹⁷⁸ Venezuela Investigative Unit, Why Is Venezuela’s Crime Rate Falling?, InSight Crime, May 28, 2024, available at: <https://insightcrime.org/news/venezuela-crime-rate-falling/> (last visited Sep. 3, 2024).

¹⁷⁹ Venezuela Investigative Unit, Why Is Venezuela’s Crime Rate Falling?, InSight Crime, May 28, 2024, available at: <https://insightcrime.org/news/venezuela-crime-rate-falling/> (last visited Sep. 3, 2024).

¹⁸⁰ Venezuela, Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO), last updated May 15, 2024, available at: https://civil-protection-humanitarian-aid.ec.europa.eu/where/latin-america-and-caribbean/venezuela_en (last visited Sep. 3, 2024).

¹⁸¹ Juliana Manjarrés and Christopher Newton, InSight Crime’s 2023 Homicide Round-Up, InSight Crime, Feb. 21, 2024, available at: <https://insightcrime.org/news/insight-crime-2023-homicide-round-up/#venezuela-1> (last visited Sep. 3, 2024).

¹⁸² Annual Report Violence 2023, Venezuelan Violence Observatory (OVV), Dec. 28, 2023, pg. 6, available at: <https://observatoriodeviolencia.org.ve/wp-content/uploads/2024/01/OVV-Violence-in-Venezuela-Annual-Report-2023-.pdf> (last visited Sep. 3, 2024).

¹⁸³ Freedom in the World 2024 – Venezuela, Freedom House, Feb. 29, 2024, available at: <https://freedomhouse.org/country/venezuela/freedom-world/2024> (last visited Sep. 3, 2024).

¹⁸⁴ Venezuela - Country Focus, European Union Agency for Asylum (EUAA), Nov. 2023, pg. 15-16, available at: https://coi.euaa.europa.eu/administration/easo/PLib/2023_11_EUAA_COI_Report_Venezuela_Country_Focus.pdf (last visited Sep. 3, 2024).



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protect them, while economic growth is stymied by the monthly extortion costs. This fosters an environment of insecurity, prompting increased migration.¹⁸⁵

Freedom House has reported that “Venezuelans face physical insecurity and violence from several sources, including irregular armed groups, security forces, and organized gangs.”¹⁸⁶ In November 2023, EUAA reported that various armed groups operated in the country, including:

sindicatos [...], megabandas [...], drug cartels, the National Liberation Army (ELN, Ejército Nacional de Liberación [*sic*]) from Colombia, and dissident groups of the former Revolutionary Armed Forces of Colombia – People’s Army (FARC-EP, Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo), also known as FARC dissident groups.¹⁸⁷

EUAA also reported that “Criminal armed groups often operate with the cooperation, or tolerance of state security forces” in Venezuela.¹⁸⁸ In late July 2024, InSight Crime argued that Venezuelan President Nicolás Maduro:

presides over a criminal hybrid state, where he relies on criminal actors in what is a symbiotic relationship. He allows certain criminal groups to operate, unmolested and even supported on Venezuelan territory, in return for these groups sharing criminal proceeds with loyal political and military actors and crushing political opposition in their areas of influence.¹⁸⁹

Moreover, security forces in Venezuela have been “accused of committing human rights abuses such as torture and cruel, inhuman and degrading treatment, including sexual and gender-based violence, and killings consistent with extrajudicial executions.”¹⁹⁰ OSAC reported in late March 2024 that “Corruption, inadequate police training and equipment, insufficient central government

¹⁸⁵ Venezuela Investigative Unit, Venezuela Security Policy: Combating Gang and Police-Driven Extortion, InSight Crime, Oct. 18, 2023, available at: <https://insightcrime.org/news/venezuela-security-policy-combating-gang-police-driven-extortion/> (last visited Sep. 13, 2024).

¹⁸⁶ Freedom in the World 2024 – Venezuela, Freedom House, Feb. 29, 2024, available at: <https://freedomhouse.org/country/venezuela/freedom-world/2024> (last visited Sep. 3, 2024).

¹⁸⁷ Venezuela - Country Focus, European Union Agency for Asylum (EUAA), Nov. 2023, pg. 41, available at: https://coi.euaa.europa.eu/administration/easo/PLib/2023_11_EUAA_COI_Report_Venezuela_Country_Focus.pdf (last visited Sep. 3, 2024).

¹⁸⁸ Venezuela - Country Focus, European Union Agency for Asylum (EUAA), Nov. 2023, pg. 42, available at: https://coi.euaa.europa.eu/administration/easo/PLib/2023_11_EUAA_COI_Report_Venezuela_Country_Focus.pdf (last visited Sep. 3, 2024).

¹⁸⁹ Jeremy McDermott, Predictions for Venezuela’s Post-Election Criminal Landscape, InSight Crime, Jul. 29, 2024, available at: <https://insightcrime.org/news/predictions-criminal-landscape-after-venezuelas-election/> (last visited Sep. 3, 2024).

¹⁹⁰ Venezuela - Country Focus, European Union Agency for Asylum (EUAA), Nov. 2023, pg. 26, available at: https://coi.euaa.europa.eu/administration/easo/PLib/2023_11_EUAA_COI_Report_Venezuela_Country_Focus.pdf (last visited Sep. 3, 2024).



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funding, and rapidly deteriorating economic conditions dramatically reduce the effectiveness of the security forces” in the country.¹⁹¹

In addition, Freedom House has asserted that “Corruption is rampant in Venezuela.”¹⁹² According to OSAC, the Maduro regime “uses corruption as a mechanism to reward and control its own allies in government.”¹⁹³

Migration

Formerly a country that “welcomed Europeans fleeing war and Colombians escaping a bloody internal conflict,”¹⁹⁴ Venezuela is facing “one of the largest displacement crises in the world.”¹⁹⁵ *The New York Times* reported in mid July 2024 that “Roughly a quarter of Venezuela’s population has already left, with almost eight million people living in other countries, according to the United Nations.”¹⁹⁶ Per the Regional Interagency Coordination Platform for Refugees and Migrants of Venezuela (R4V), there were approximately 7.77 million “Venezuelan Refugees and Migrants in the World,” and approximately 6.59 million “Venezuelan Refugees and Migrants in Latin America and the Caribbean,” as of June 3, 2024.¹⁹⁷

The New Humanitarian reported in late June 2024 that “Most migrants and refugees have moved to other Latin American countries where they often live in poor conditions due to lack of opportunities and mounting xenophobia.”¹⁹⁸ In its annual report covering 2023, the IACHR noted that the challenges faced by Venezuelan nationals in host countries “have led to an increase in the mass and continuous movements of Venezuelan nationals from one country to the

¹⁹¹ Venezuela Country Security Report, Overseas Security Advisory Council (OSAC), U.S. Department of State, last updated Mar. 26, 2024, available at: <https://www.osac.gov/Content/Report/34f99e62-2161-412d-bfeb-1e752539f6bf> (last visited Sep. 3, 2024).

¹⁹² Freedom in the World 2024 – Venezuela, Freedom House, Feb. 29, 2024, available at: <https://freedomhouse.org/country/venezuela/freedom-world/2024> (last visited Sep. 3, 2024).

¹⁹³ Venezuela Country Security Report, Overseas Security Advisory Council (OSAC), U.S. Department of State, last updated Mar. 26, 2024, available at: <https://www.osac.gov/Content/Report/34f99e62-2161-412d-bfeb-1e752539f6bf> (last visited Sep. 3, 2024).

¹⁹⁴ Regina Garcia Cano, Many couples in troubled Venezuela are breaking up as people make plans to migrate ahead of election, *The Associated Press*, Jul. 18, 2024, available at: <https://apnews.com/article/venezuela-election-maduro-economy-crisis-relationships-love-a2ccff116ea52ea742e03ebd294dbd3> (last visited Sep. 4, 2024).

¹⁹⁵ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Sep. 4, 2024).

¹⁹⁶ Julie Turkewitz, Losing Hope, Venezuelans Vow to Leave Their Country if Maduro Wins, *The New York Times*, Jul. 18, 2024, available at: <https://www.nytimes.com/2024/07/18/world/americas/venezuela-migration-election.html> (last visited Sep. 4, 2024).

¹⁹⁷ Refugees and Migrants from Venezuela, Regional Interagency Coordination Platform for Refugees and Migrants of Venezuela (R4V), last updated Jun. 3, 2024, available at: <https://www.r4v.info/en/refugeeandmigrants> (last visited Sep. 4, 2024).

¹⁹⁸ Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Sep. 4, 2024).



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other in search of asylum or settlement.”¹⁹⁹ While these movements were “first observed at the end of 2020, they escalated in an unprecedented and multidirectional manner during 2023, and with an increasing tendency towards the north, mainly aimed at Central and North America.”²⁰⁰ Moreover, the U.S. Agency for International Development (USAID) noted in late May 2024 that Venezuelan migrants “are departing host nations in South America, citing various factors including social discrimination and lack of economic opportunities, [...] with some choosing the dangerous northward journey through the Darién Gap.”²⁰¹ According to *The New Humanitarian*, “In 2023, at least 328,000 Venezuelans – more than double the previous year – took the treacherous Darién Gap route to Central America; most of them trying to reach the United States.”²⁰²

¹⁹⁹ Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 737, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Sep. 4, 2024).

²⁰⁰ Annual Report 2023 - Chapter IV.B - Venezuela, Inter-American Commission on Human Rights (IACHR), Apr. 25, 2024, pg. 737, available at: https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_4B_Venezuela_ENG.PDF (last visited Sep. 4, 2024).

²⁰¹ Venezuela Regional Crisis - Complex Emergency, Fact Sheet #3, Fiscal Year (FY) 2024, U.S. Agency for International Development (USAID), May 31, 2024, pg. 3, available at: https://www.usaid.gov/sites/default/files/2024-06/2024-05-31_Venezuela_Regional_Crisis_Fact_Sheet_3.pdf (last visited Sep. 4, 2024).

²⁰² Gabriela Mesones Rojo and Iván Reyes, Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win), *The New Humanitarian*, Jun. 25, 2024, available at: <https://www.thenewhumanitarian.org/analysis/2024/06/25/hunger-healthcare-schools-reasons-leave-venezuela-maduro-poll-win> (last visited Sep. 4, 2024).

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Hunger, healthcare, and schools: Reasons to leave Venezuela (along with a Maduro poll win)

‘We are facing the exhaustion of survival capabilities.’



People pass in front of a Caracas school with an image of Hugo Chávez on the wall. Under Chávez's successor Nicolás Maduro, Venezuelans have endured an economic collapse, increased repression, and a humanitarian crisis.



Iván Reyes

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CARACAS

A month ahead of Venezuela's pivotal presidential election, uncertainty about the future is peaking as people across the country wrestle with increasing authoritarianism and the all-encompassing fallout of an unrelenting humanitarian crisis.

Everything will be on the line on 28 July, when citizens have to pick between President Nicolás Maduro, who won an election widely seen as **fraudulent** in 2018, and opposition candidate Edmundo González Urrutia.

The campaign has been tense. Maduro banned María Corina Machado from running after she overwhelmingly won the opposition primary and has since intensified his repression against other opposition members, activists, journalists, and **NGOs**.

Many fear Maduro will steal the election again and are considering **migrating** if there is no change of leadership. A recent poll conducted nationwide by research firm Delphos showed that **about 25%** of those polled were considering migrating for economic reasons. Of those, 47% said they would stay if González wins.

Since 2015, the rapid deterioration in humanitarian conditions has led more than **7.7 million** people to leave – one of the largest displacement crises in the world. Most migrants and refugees have moved to other Latin American countries where they often live in poor conditions due to lack of

United States.

“There is an endless circle of overlapping deficiencies that make it more difficult to cope with needs and put people in a continuous situation of vulnerability.”

On 23 June, Maduro **called on migrants to return** home, promising “growth, prosperity, wellbeing, and humanity”, and announcing the appointment of a new migration minister to help them do so. Conditions within Venezuela suggest it’s unlikely many will.

The 28.8 million people who remain in Venezuela are faced with soaring prices due to **inflation** rates that were until recently among the highest in the world, and a monthly minimum wage frozen at less than \$4. A de facto **dollarisation has failed** to boost the economy, and the lack of basic services – once limited to the regions and rural areas – is now affecting the capital, Caracas, as well.

“[There is] an endless circle of overlapping deficiencies that make it more difficult to cope with needs and put people in a continuous situation of vulnerability,” said Jo D’Elia, director of the human rights NGO Civilis and a member of HumVenezuela, which monitors and provides data on the humanitarian emergency.

“We are facing the exhaustion of survival capabilities, as well as the traumas and consequences of violence and exploitation,” D’Elia told The New Humanitarian.

Chronic malnutrition sets in

Maduro **long denied** he is presiding over a humanitarian crisis. Facts tell a different story. Until 2011, there was **little to no hunger** in Venezuela, but more than **five million** people now suffer from undernourishment – the highest level in South America.

People who have borrowed food

65.3%

People who have spent their savings on food

53.7%

People with protein-deficient diets

51.6%

Food Insecure people

45.2%

People in moderate food insecurity

35.7%

People in severe food insecurity

9.5%

Children < 5 years old with some degree of nutritional deficit or at risk of nutritional deficit

64.7%

Children < 5 years with acute or chronic malnutrition

44.8%

Chart: Data from November 2023 • Source: [HumVenezuela](#)

**The New
Humanitarian**

Since 2015, **GDP has fallen by 80%** and the minimum wage by 95%, according to the NGO Provea. While Maduro blames the impact of sanctions imposed by the US and others, experts say **economic mismanagement and corruption** are the chief culprits.

Food scarcity has decreased, but 70% of processed food is now imported and therefore more expensive. With livelihood losses affecting **nearly 70%** of the population in 2023 – and **high inflation** – many families find it impossible to meet their basic food needs.

Fuel has become scarce and hard on people's wallets. Filling up a tank of gas at the subsidised price may be cheaper, but you need to wait hours – sometimes days – in long queues to do so. Paying international prices means spending at least \$20 when the minimum wage is less than \$4. This

VZ Vacatur_0506

humanitarian emergencies, and disaster risk, said 60-80% of people in poor areas have resorted to negative coping strategies, such as selling belongings to buy food.

Imara Rodríguez, a 37-year-old mother of five with no steady job, said she goes to a trash dump in Caracas every day to scavenge for items of any value she can sell to buy food for the three children who still live with her.

"With what I get, I buy rice, eggs, and some vegetables. That's what my children eat every day," she told The New Humanitarian.

The money she makes isn't enough for her food needs as well, so she has to eat what she can find on the street. She tends to go to the same spot on one of the main roads, where leftovers of fried chicken from a US fast food chain are discarded on the ground. She is not the only one who scavenges there.

"I don't give it to my children because it might upset their stomachs," she said.

The day she spoke with The New Humanitarian, Rodríguez had only eaten some mangos and some potato chips she had found in a garbage bin.

"When we talk about young girls, the result is an epigenetic process that could even be inherited by her future children, or that could lead to death during her future pregnancy."

According to **HumVenezuela**, the percentage of food insecure people in 2023 was similar to the previous year. However, the number of extremely undernourished and malnourished people increased significantly: Those who went permanently hungry at times during the year **rose from 14.4% to 22.3%**. Additionally, 86% of the population reported not having enough money to buy the food needed in their household.

Especially worrisome to nutrition and health experts is that chronic malnutrition is surging among children, leading to stunting, wasting, delayed

come back for another round of treatment,” said Katherine Martínez, founder and director of **Prepara Familia**, an NGO that assists children and adolescents.

For Raffalli, it’s an underacknowledged issue, and one that carries hidden consequences for mothers.

“The Venezuelan government says that we face 10% chronic malnutrition, but UNICEF claims it’s more likely to be 27%,” Raffalli told The New Humanitarian. “When we talk about young girls, the result is an epigenetic process that could even be inherited by her future children, or that could lead to death during her future pregnancy.”

All this, said Martínez, is forcing humanitarian workers to redefine the assistance they bring: “It means our work has to focus on closer monitoring of families who come to us for support.”

Where’s the international aid response?

In its **2023 yearly report**, HumVenezuela reported that 20.1 million people required humanitarian assistance and protection – 400,000 more than in 2022.

During the first half of last year, only 14% of the UN’s Humanitarian Response Plan (HRP) was funded, making it the second most underfunded globally. The level of response improved during the second half, allowing **52.9% of the HRP** to be funded.

International aid groups, such as the Pan American Health Organization, USAID, the World Food Programme, and a number of other UN agencies, among others, operate in Venezuela. But they face constant interference and **harassment** from the government.

The assistance provided isn’t nearly enough to meet the needs.

Last October, UN Secretary-General António Guterres gave the **green light** for the UN to start administering a trust fund worth an estimated \$3 billion

government and the opposition. On 17 October, the same day the authorisation to create the trust fund was made public, Maduro and the opposition signed an **agreement in Barbados**, paving the way for free elections to take place this year and prompting the US to ease **Venezuela's oil sanctions**.

But as the opposition gained strength, Maduro started disregarding the Barbados accord, the US **reinstated the sanctions**, and the trust fund has been left in limbo.

At the time of publication, only **9.5%** of Venezuela's HRP for 2024 had been funded.

A denied healthcare crisis

The **collapse of the healthcare system** has been one of the most obvious and drastic aspects of Venezuela's humanitarian crisis.

Unprecedented **spikes in rates of maternal and child mortality** were noted as early as 2016. The following year, Maduro, who **denied the severity of the situation**, fired his health minister after she disclosed that **the number of women dying in childbirth had risen by 65%** in less than two years, while child deaths had increased by 30%.

After a decade of underfinancing that saw an exodus of medical professionals and a rapid decaying of infrastructure, the capacity of Venezuela's health services **was already estimated** to have been reduced by 70% by the time COVID-19 hit. The pandemic drove that figure to more than 80%, according to HumVenezuela.

Andrea, a nurse at the Ana Francisca Pérez de León Hospital in the Petare neighbourhood of Caracas, said the worst years were between 2015 and 2021. During that period, many doctors left and sometimes only nurses tended to the patients.

The situation at her hospital has improved a little since, with young specialists being hired, but even so only some of the operating rooms are functioning and there's still no blood bank, said Andrea, who requested her name be changed for safety reasons.

Shortages of vital medicines, hospital beds, and equipment – along with poor maintenance of decrepit infrastructure, and the closure of many services due to staffing issues – are all too common across the country.

According to the NGO Convite, medicine shortages in general **reached 28.4%** by March 2024, and in at least two of the ten hospitals visited by the organisation, there was no treatment for six of the most common problems: diabetes, infectious respiratory diseases, diarrhoea, hypertension, depression, and seizures. Today, **89.7% of the population** is dependent on a public health system they can't rely on, according to HumVenezuela.

The lack of electricity and running water also undermines health services, as do poor wages – some of **the lowest in the region**.

"The salaries are horrible. We earn the minimum wage, like everyone else now," said Andrea. "I know many nurses who take up to four jobs to be able to feed their families."

Public workers and retired Venezuelans who receive a state pension are granted an extra \$40 bonus for food from the government. Additionally, in 2017, Maduro created the "**economic war bond**" for pensioners and public workers, to counteract what he said were the effects of sanctions. He raised this bonus **from \$60 to \$90 last month**, likely in an attempt to gain popularity ahead of the election. The government also distributes subsidised food aid in what are called CLAP boxes.

But the total income still isn't nearly enough for most Venezuelans to meet the cost of living. A basic food basket costs **more than \$500**, and the minimum wage **hasn't been raised** in two years.

Maritza Moreno, president of the College of Nurses in Caroní, told The New Humanitarian that power cuts and water shortages have seriously affected

services are in failure,” she said.

In its latest **survey**, Médicos por la Salud, a network of doctors who monitor and document the health crisis, found that four in ten operating rooms nationwide no longer function. Shortages of surgical supplies were **at 74%**, and of emergency supplies at 37%. Patients undergoing simple surgery had to spend more than \$80 of their own money to buy the surgical supplies needed. Food insecurity and the lack of basic services also compound the healthcare crisis. For instance, four in ten hospitals can’t feed paediatric patients under two, while water shortages fuel the spread of bacteria and hinder water-dependent treatments such as dialysis.

Power cuts and water shortages

Access to basic services has been highly deficient for years and shows little to no sign of improvement. Gas provision did increase a little in 2023, but access to water and power deteriorated.

Nearly **20 million people** now face severe water restrictions, and 86% of the population is exposed to water deemed **unsuitable for human consumption**, putting them at risk of diarrhoea and other diseases.

⚡ Severe power failures

61.9%

🌐 Households without internet service

51.5%

🚌 Severe failures of public transportation

49.4%

🏠 Severe domestic gas failures

36.9%

Chart: Data from November 2023 • Source: [HumVenezuela](#)

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Years of **government mismanagement**, international sanctions, and the economic collapse have exacerbated the power crisis. Venezuela's grid collapsed completely in March 2019, plunging the country into a week-long **blackout**, but more than five years later Venezuelans still face daily power cuts.

In 2023, blackouts affected **nearly 62%** of the population, compared to 25.9% in 2022, bringing activities to a standstill and sometimes **putting lives at risk in hospitals**.

Liliana Rivas, a 23-year-old student in the northwestern city of Mérida, faces all these challenges. She said she is luckier now as gas trucks do sporadically reach her neighbourhood; but a few years ago she had to cook over a wood fire. She still only has running water from 5-9am and from 7-9:30pm.

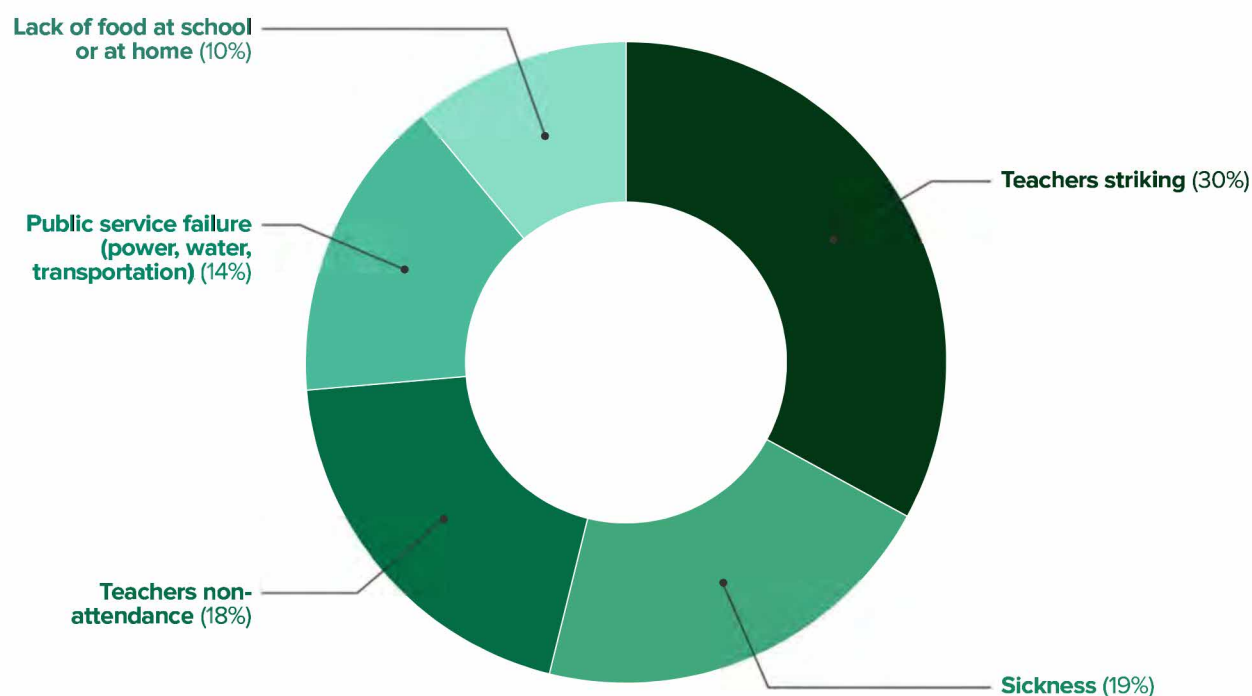
The worst part, she said, is the power cuts. In addition to studying, she works as a journalist and experiences anxiety attacks and sleep issues when she has to turn in big assignments under deadline.

"There is no schedule for [the daily power cuts]. It's unstable. Sometimes it's for four hours twice a day," she told The New Humanitarian. "It affects my work, because with eight hours out of power I can't be that productive, and

Little schooling means bleak futures

Education has taken a big hit too. **Reports** show that **dilapidated infrastructure**, the lack of teachers and of public transportation – combined with **the shortcomings of the school meals programme** – are driving many students away.

Reasons for students not to attend classes



Source: [Encuesta Nacional de Condiciones de Vida \(2023\)](#)

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The impoverishment of families due to high inflation is also forcing children to drop out of school to work. In 2023, **40% of students** between the ages of three and 17 attended school irregularly.

Teacher shortages due to the exodus have forced public schools to give classes only two to three days a week. In 2023, nearly **two in three children**

outskirts of Caracas, told The New Humanitarian that the lessons her 12-year-old daughter gets are insufficient. She said teachers choose to work only on certain days to put pressure on the government to raise their pay. Many also have to take other jobs to make ends meet. "There are teachers who sell cakes, cookies, or things like that," she explained.

"Children may go to classes every day one week but not have any class the month after," she added. "Education is terrible."

Edited by Daniela Mohor.

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1 UNITED STATES DISTRICT COURT
2
3 NORTHERN DISTRICT OF CALIFORNIA
4
5 SAN FRANCISCO DIVISION

6 NATIONAL TPS ALLIANCE, *et. al.*,

7 Plaintiff,

8 v.

9 KRISTI NOEM, in her official capacity as
10 Secretary of Homeland Security, *et. al.*,

11 Defendants.

Case No. 3:25-cv-1766

**CERTIFICATION OF ADMINISTRATIVE
RECORD**

12 **CERTIFICATION**

13 I, Juliana Blackwell, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

14 1. I am employed with the U.S. Department of Homeland Security (“DHS”), as the acting
15 Executive Secretary. I am responsible for the oversight and management of the Office of the Executive
16 Secretary, which oversees the management of written communications intended for, and originated by,
17 the Secretary and Deputy Secretary of Homeland Security, and the maintenance of official Department
18 records. I have held this position since August 2019.

19 2. I certify that, to the best of my knowledge and belief, the documents listed in the
20 accompanying Index and contained in the PDF files annexed hereto constitute a true and accurate list of
21 all nonprivileged documents and materials directly or indirectly considered by DHS and that these
22 documents constitute the administrative record the agency considered in issuing the Federal Register
23 Notice entitled “Vacatur of 2025 Temporary Protected Status Decision for Venezuela.”

1 I certify under penalty of perjury that the foregoing is true and correct.

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3 Executed on: April 7, 2025

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7 Juliana Blackwell

8 Executive Secretary (acting)
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